

**CEQA REQUIRED FINDINGS FOR THE
DANA ADOBE NIPOMO AMIGOS LAND USE ORDINANCE
AMENDMENT AND CONDITIONAL USE PERMIT
ENVIRONMENTAL IMPACT REPORT**

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1.0 ENVIRONMENTAL DETERMINATION

The Environmental Impact Report (EIR) was prepared, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §21000 et seq.), to evaluate the environmental impacts resulting from approval of the Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance (LUO) Amendment, Conditional Use Permit (CUP), and Development Plan (project). The County of San Luis Obispo (County) is the CEQA Lead Agency for the project.

The EIR addresses the potential environmental effects associated with the project. A number of federal, state, and local governmental agencies require an environmental analysis of the proposed project consistent with the requirements of CEQA in order to act on the project. These agencies include the County, U.S. Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), State Water Resources Control Board (SWRCB), and Regional Water Quality Control Board (RWQCB).

The findings and recommendations set forth below (Findings) are adopted by the County Board of Supervisors as the County's findings under CEQA and the CEQA Guidelines (California Code of Regulations [CCR] Title 14, §15000 et seq.) relating to the project. The Findings provide the written analysis and conclusions of this Board regarding the project's environmental impacts, mitigation measures, alternatives to the project. No significant, adverse, and unavoidable impacts were identified; therefore, no statement of overriding considerations is required.

This proposed project evaluated in this EIR includes both an LUO Amendment and development project (Conditional Use Permit request). Approval of the LUO Amendment alone would not result in any physical effects, because the language does not permit a project to occur prior to approval of the Master Plan and a CUP. Approval of a CUP is a discretionary action, and CEQA review is required.

These adopted findings apply to the certification of the EIR and approval of the LUO Amendment. The EIR includes project-specific analysis of potential impacts on the environment and mitigation measures that are required to reduce identified adverse impacts to less than significant. Approval of the CUP would occur following certification of the Final EIR and approval of the LUO Amendment. The County will be required to adopt a separate set of findings upon approval of the CUP.

1.1 PROCEDURAL BACKGROUND

A Mitigated Negative Declaration (MND) was prepared for the project in April 2012. However, after completion of the MND, DANA entered into negotiations and mediations with the Northern Chumash Tribal Council (NCTC), a Chumash organization. Through these negotiations, it was determined that an EIR would be prepared for the project to more fully address potential impacts to on-site cultural and historic resources.

Pursuant to CEQA and the CEQA Guidelines, the County determined that an EIR would be required for the project. On December 11, 2012, the County issued a Notice of Preparation (NOP) for the EIR which was circulated to responsible agencies and interested groups and individuals for review and comment. A copy of the NOP is included in Appendix A of the DANA LUO Amendment and CUP EIR.

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The Draft EIR was available for public review and comment from August 12, 2013, through September 27, 2013, and was filed with the State Office of Planning & Research under State Clearinghouse No. 2012041037.

The County prepared written responses to the comments received during the comment period and included these responses in the Final EIR, which was published by the County on November 8, 2013.

2.0 PROJECT DESCRIPTION

The applicant, Dana Adobe Nipomo Amigos (DANA), requests a Conditional Use Permit (CUP) and Development Plan to allow implementation of a Master Plan and development of The Stories of the Rancho Project. DANA also requests a Land Use Ordinance (LUO) Amendment to §22.112.030.B (Community Planning Standards, Combining Designations, Historic Area (H) Dana Adobe) and §22.112.080.G (Community Planning Standards, South County Nipomo Urban Area, Recreation – Dana Adobe) to accommodate implementation of the Master Plan and development of the project, as more fully described below.

The LUO Amendment will be considered by the County Board of Supervisors prior to consideration of the Conditional Use Permit.

2.1 GENERAL BACKGROUND

2.1.1 Project Location

The project is located within and immediately adjacent to the community of Nipomo, on the east side of South Oakglen Avenue, approximately 1 mile southeast of West Tefft Street and in the South County Inland Planning Area. The project site consists of five legal parcels comprising two primary areas: (1) a 30-acre area owned by DANA, generally lying west of Nipomo Creek, which includes the Dana Adobe (Assessor's Parcel Number [APN] 090-171-011) and surrounding areas (APN 090-171-036); and (2) a primarily undeveloped adjacent area, consisting of three legal parcels totaling 100 acres leased by DANA from the County of San Luis Obispo (County) (APN 090-171-030, 090-171-031, and 090-171-032).

2.1.2 Project Objectives

DANA, the project applicant, has developed the following project statement of intentions, which were used during their initial screening of project alternatives:

"The intent of the project's master plan is to tell the stories of the people and the land over time using the Dana Adobe as the key component. Master plan components should complement the education being provided about the Dana Adobe, the Native American presence on the landscape, and the Rancho era. The arrangement and physical elements on the site must create a spatial sequence that enables the visitor experience to be programmed toward the larger educational purpose. As a result, individual master plan components should not dominate the site or detract from the site's intent by creating separate sites for uses not directly related to the project's overall educational purpose. The project provides:

- *A visitor's center that furnishes adequate area for visitors, exhibits and interpretive elements, fundraising, and daily and staffing needs;*
- *Structures, buildings, and landscaped areas that help visitors understand the site's history and historic uses;*
- *An area devoted to the understanding and appreciation of the Chumash culture as it relates to the Rancho era and aspects of Chumash life in earlier eras and today;*

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- *Educational opportunities that address the consequences of human interaction with the land over time, as well as modern day environmental and sustainability issues;*
- *Facilities, indoors and outdoors, for education of school aged children, adults, and seniors; all income levels, varying physical capabilities; and for the Nipomo area and the County's tourist population;*
- *On the 30-acre site, disabled access to all facilities and experiences consistent with ADA, connecting the site's educational components;*
- *On the 100-acre site, public trails that also furnish education regarding the site's natural, historical, and agricultural resources;*
- *Amenities (such as ramadas, viewing areas, gardens, and picnic tables) to provide a pastoral and pleasurable visitor experience;*
- *Adequate support facilities (such as a caretaker's unit and emergency access) to safeguard resources onsite and provide security and visitor safety;*
- *Provide infrastructure consistent with the level of development proposed while maintaining the site's historical setting and balancing new development with resource protection and historic character;*
- *Restoration along portions of the project's creek corridors in order to provide resource protection and education regarding those resources;*
- *A building design for the visitor center and other project components that has sustainable construction techniques and does not confuse visitors regarding the interpretation of historical structures on the site;*
- *Master plan components in locations that complement the Dana Adobe and its setting while balancing protection of the site's various resources; and,*
- *Facilities and amenities that DANA, a nonprofit, can reasonably afford to maintain in the present and future."*

The primary goal of The Stories of the Rancho Project Master Plan is to establish the plan for protection/preservation of the historic Dana Adobe and development of surrounding areas for educational purposes. DANA and the County have utilized the applicant's above-stated project intent to establish the following project objectives:

1. To facilitate development of the historic project site to tell the stories of the people and the land over time, including the Native American presence, Dana Adobe, and the Rancho era, using the Dana Adobe as the key component;
2. To guide development of the project site that helps visitors understand the site's pre-history, history, and historic uses, and enables the visitor experience to be programmed toward the larger educational purpose;

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3. To provide a range of passive and active facilities and use areas to provide cultural, historic, environmental, natural, and agricultural educational opportunities to the community;
4. To develop an area devoted to the understanding and appreciation of the Chumash culture as it relates to the Rancho era and aspects of Chumash life in earlier eras and today;
5. To provide amenities that are environmentally sensitive, sustainable, and aesthetically consistent with the regional and historic character of the area;
6. To provide amenities and facilities that are accessible to a wide range of individuals of varying ages, income levels, and physical capabilities;
7. To restore and protect natural resources associated with on-site creek corridors, and provide educational opportunities related to on-site natural resources;
8. To balance the level of new development with resource protection and maintenance of the site's historic character;
9. To provide necessary infrastructure consistent with the level of development proposed;
10. To furnish on-site opportunities for fundraising, and to provide facilities and amenities that DANA can reasonably afford to maintain; and,
11. To establish a plan for development consistent with the Nature Education Facilities Grant.

2.2 PROJECT COMPONENTS

2.2.1 Land Use Ordinance Amendment

The amendments to the County's LUO clarify the intent of the LUO by addressing emergency access conditions and updating design and approval standards. The amendment removes the reference to the Southland Street Interchange, which is no longer proposed for construction by the County and the California Department of Transportation (Caltrans), and adds a requirement for privately-developed emergency access. The LUO amendments also include minor updates to correctly identify land currently owned by DANA, design standards to maintain historical context and ensure continued preservation and restoration of the Dana Adobe, and a requirement for Master Plan and CUP approval. The amendments would not remove any intended impediment to growth.

Proposed language includes the following, noting deletions in ~~strikeout~~ and additions in blue text and underlined. Changes that occurred during the previous public hearing process are indicated in ~~blue underlined text and strikeout~~.

SECTION 1: Section 22.112.030.B of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- B. Historic Area (H) - Dana Adobe.** Development of any tourist-related facilities, residential or accessory uses at the site of the Dana Adobe (see Figure 112-6) shall be in an architectural motif compatible with the adobe itself and consistent with the

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~~site master plan on file at the Department. This requirement applies to the Dana Adobe site in addition to the requirements of Sections 22.112.080.F.1 through F.4. [Amended 1997, Ord. 2800] consistent~~ with Sections 22.112.080 G.

SECTION 2: Section 22.112.080.G (Figure 112-57 is not proposed for change) of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

G. Recreation (REC) – Dana Adobe. The following standards apply only to the ~~properties containing and surrounding the Dana Adobe~~ properties shown in Figure 112-57 ~~in addition to the Historic combining designation standard in Section 22.112.030.A-B~~

1. Limitation on use.

- a. Prior to completion of a ~~future Southland Street interchange~~ emergency access accessible by the Dana Adobe properties and/or the creation of a “safe refuge,” access and egress for emergency responders, visitors, and occupants, land uses shall be limited to those identified as allowable, permitted, or conditional in the Residential Suburban land use category by Section 22.06.030, except for nursing and personal care, and residential care.
- b. After completion of an ~~Southland Street interchange~~ emergency access accessible to the Dana Adobe properties and/or a safe refuge, access and egress for emergency responders, visitors, and occupants, all land uses that are identified by Section 22.06.030 as allowable, permitted, or conditional in the Recreation land use category may be authorized in compliance with the land use permit requirements of that Section.

2. Permit requirement. The initial development of any non-agricultural or non-residential uses shall comply with the ~~Site Master Plan on file with the Department~~ or an approved amendment to that Master Plan. The initial Site Master Plan or major amendments to the Site Master Plan and shall be subject to Conditional Use Permit approval. The Conditional Use Permit shall identify the area to be developed, the types of uses to be established, and an architectural motif style compatible with the adobe ~~itself~~ and the site's interpretation and educational components. Once a Conditional Use Permit has been approved for the Site Master Plan, minor amendments to the Master Plan may be approved by the Planning & Building Department or through a permit as designated in Article 2, Table 2-2 (Allowable Land Uses and Permit Requirements) Section 22.06.030. Future structures or uses not approved as part of the initial Conditional Use Permit shall comply with the requirements of Section 22.06.030 (Table 2-2) and Section 22.30 (Standards for Specific Land Uses) of the Land Use Ordinance.

3. Subdivision requirement. All new subdivisions on the site of the Dana adobe shall be clustered in compliance with Chapter 22.22. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency, or appropriate caretaker organization for maintenance and improvements. Funding shall be provided to contribute to the improvement of the adobe and its site in an amount to be determined through the subdivision review process. The residential lots shall be located a compatible distance from the

adobe. The architecture of structures within the subdivision shall be compatible with the adobe, through the use of deed covenants, conditions and restrictions (CC&Rs).

4. Development requirements. Future development proposals shall also include measures to address the following issues as appropriate:

- a. Siting and architecture of both residential and nonresidential uses shall be visually compatible with the Dana Adobe ~~and located to minimize their appearance from the adobe.~~ Physical linkage with the adobe site shall be designed that encourages pedestrian travel and interpretation of the site's resources. Landscaping ~~shall be utilized~~ should be used to buffer views between the adobe and development sites support buildings and project infrastructure such as parking lots. Should the nonprofit organization, the Dana Adobe Nipomo Amigos, cease to exist, ~~An area shall be located around the Dana adobe site,~~ the 30 acre site should ~~be offered for dedication to the County, another nonprofit agency, or appropriate caretaker organization for maintenance and improvements. Funding for the improvement of the adobe and its site at an amount to be determined through permit review shall be provided before occupancy of any proposed development.~~

Mitigation Measures Incorporated as Planning Area Standards

In addition to the LUO Amendment language above, the following language is included as planning area standards to 1) address potential impacts that may occur as a result of land development occurring subsequent to approval of the LUO Amendment and 2) provide a connection to the project-specific mitigation measures identified for the project identified in the CUP request (proposed Master Plan). The mitigation measures incorporated into the LUO Amendment are commensurate to the level of review, address potential impacts that may occur during implementation of a future project allowable subsequent to approval of the LUO Amendment, and allow for flexibility when considering future project-specific impacts. Additional project-specific mitigation measures are also identified in the EIR, which apply to the Master Plan and CUP.

Section 22.112.080G –Additional Planning Area Standards

b. Air Quality

- (1) The proposed project shall include measures to reduce construction-related air emissions, operational air emissions, and greenhouse gas emissions based on the current air quality model approved by the County of San Luis Obispo Air Pollution Control District (APCD), such as CalEEMod and guidance provided in the APCD's CEQA Handbook.

c. Biological Resources

- (1) The proposed project shall include measures to avoid or minimize impacts to special status species and sensitive habits, such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies.

d. Cultural Resources

- (1) The proposed project shall include measures to address potentially significant impacts to cultural resources based on analysis by a County-approved archaeologist. Measures may include, but are not limited to, avoidance by

design, protective soil capping, detailed research design and data recovery, surface documentation, archaeological monitoring, protection by recordation of open space easements, an operational management program, and an interpretive program.

(2) The proposed project shall include measures to address potentially significant impacts to paleontological resources, such as construction monitoring by a County-approved paleontologist.

e. Geology and Soils

(1) The proposed project shall include measures to reduce erosion and sedimentation and ensure water quality standards are met, such as provision of a SWPPP.

f. Noise

(1) The proposed project shall include measures to reduce potential noise impacts, such as limitations on maximum noise level, duration of special events, noise monitoring, and remediation for complaints.

g. Transportation and Circulation

(1) The proposed project shall include measures to reduce impacts to roads and intersections in the area, such as adjustments to peak hour trip generation, payment of road fees, and street improvements based on consultation with the County Department of Public Works.

h. Water Resources

(1) The proposed project shall include measures as required or recommended by the County's Stormwater Management Program to promote groundwater recharge through the application of Low Impact Development (LID) design techniques, such as directing parking lot and roof runoff to vegetated swales and rain gardens, and maximum pervious surfacing where feasible.

2.2.2 Conditional Use Permit

The project proposes implementation of a Master Plan for the development of The Stories of the Rancho Project. The Stories of the Ranchos Project would include the following components, as more fully described below. The project would result in the disturbance of approximately 6.55 acres of the 30-acre site owned by DANA and approximately 1.75 acres of the adjacent 100-acre site owned by the County of San Luis Obispo, for a total disturbance of 8.3 acres.

Site access would be provided by two improved driveways off of South Oakglen Avenue. An approximately 0.6-mile-long, 16- to 18-foot-wide, gated, all-weather emergency access drive would also be developed, extending from one of the primary driveways off of South Oakglen Avenue to South Thompson Road. The emergency access road would include an 89-foot-long, 10-foot-wide flatcar bridge over Nipomo Creek. The existing driveway leading to the Dana Adobe would remain as a service entrance and for Americans with Disabilities Act (ADA) access. A circular driveway with two access points is proposed off North Thompson Road for horse trailers, trail users, and agricultural parking. Off-site frontage road improvements would include widening of South Oakglen Avenue to include two 10-foot-wide paved travel lanes and an 8-foot-wide road base shoulder on the eastern side of the road.

Water would be provided by the Nipomo Community Services District (NCSD), through an existing Outside Users Agreement. Approximately 1,200 feet of the existing water main along South Oakglen Avenue would be upsized to accommodate the development.

Master Plan Development

The proposed project consists of three primary components within the 30-acre site: the Rancho Era, Visitor Center, and Chumash Interpretive Area. The Master Plan also includes improvements, access, and restoration on the 100-acre site to the east. Development would occur in phases, as funding is available.

The Rancho Era

The Rancho Era component would include the continued restoration and maintenance of the Dana Adobe, historic tallow vat, and historic barn foundation, and all associated features pursuant to Secretary of the Interior's Standards. Proposed improvements to enhance the visitor experience include:

- Approximately 3,000 square feet of replicated Rancho era outbuildings, including a blacksmith barn, small animal corral, and eight shade ramadas;
- An 18,120-square-foot arena and cattle chute, which would also be used as additional overflow parking for up to 100 valet-parked vehicles;
- Replacement of the existing caretaker's unit with a new 1,100-square-foot unit, an attached 500-square-foot shop/storage unit, and an on-site septic tank and leachfield;
- A 150-square-foot restroom and associated on-site septic tank and vertical leach pit or horizontal system;
- An ADA-compliant trail system of decomposed granite, 6 to 10 feet wide, including exhibits, interpretive features, portals, and viewing areas;
- 80,445 square feet of drip-irrigated landscaping (throughout the total Master Plan area), including historic ornamental, medicinal, and vegetable gardens; a vineyard; and an orchard;
- A 17,280-square-foot overflow parking area, with a gravel base and capacity for 60 parking spaces,
- Bored utility connections; and
- Removal of one locust tree.

The Visitor's Center

The Visitor's Center component would include development of a visitor's center and surrounding visitor-serving facilities. Specific improvements include:

- A 6,226-square-foot visitor's center building to be constructed in two phases (5,300 square feet in Phase I and a 966-square-foot expansion when funds become available in Phase II). The visitor's center would include:
 - a museum
 - offices
 - library
 - conference room

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- two classrooms
 - catering kitchen
 - curator's work and storage area
 - gift shop
 - restrooms
 - general storage area
 - roof-mounted solar panels
- Currently proposed regular hours of operation for the visitor's center are 9:00 a.m. to 5:00 p.m. on Tuesdays through Saturdays, and 12:00-5:00 p.m. on Sundays;
 - 1,825 square feet of covered outdoor areas;
 - An outdoor amphitheater, including seating and a small stage;
 - A story circle;
 - Future play area;
 - An ADA-compliant trail system (decomposed granite 6 to 10 feet wide), including exhibits, interpretive features, portals, and viewing areas;
 - A 21,750-square-foot main parking area, paved with capacity for 48 vehicles, including bus parking;
 - On-site vertical leach pit or horizontal system;
 - Bored utility connections; and,
 - Landscaping.

Chumash Interpretive Area

The Chumash Interpretive Area component would include a traditional Chumash dwelling and other traditional features and exhibits. Specific improvements include:

- Exhibits and interpretive features, including a medicinal and food native plant interpretive garden and geologic and petroglyph paint rock interpretive exhibit;
- An ADA-compliant trail system (decomposed granite 6 to 10 feet wide), including exhibits, interpretive features, portals, viewing areas, and intermitted stacked stone retaining walls between 8 and 30 inches in height;
- 40-foot-diameter ramada/outdoor classroom; and,
- Landscaping.

The 100-Acre Site

The 100-acre site would be improved and maintained for passive recreation. Specific developments include:

- Use of existing unimproved agricultural roads for hiking trails;
- An additional multi-use looped trail system with a dirt base, 3 to 5 feet wide, including signage, exhibits, and interpretive features;

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- Looped trail and restoration areas east of Nipomo Creek, including exhibits, interpretive features and drought-tolerant landscaping;
- 0.36 acre of riparian restoration within Carillo Creek;
- A foot bridge over Adobe Creek and Carillo Creek; and,
- A 2,500-square-foot horse trailer parking and staging area for trail and agricultural uses.

The remainder of the site would support agricultural and open space uses, including crop production and livestock grazing.

Special Event Uses

The proposed project includes a request for use of the project site to host special events of varying sizes (gatherings with less than 50 guests are not considered special events):

- 20 events of 50 to 100 guests per year;
- 40 events of 60 to 65 guests per year (bussed-in school field trips);
- 12 events of 100 to 250 guests per year;
- six events of 250 to 500 guests per year; and,
- one event of 300 to 1,500 guests per year.

The project would result in a maximum of 79 special event uses per year with a total maximum attendance of 12,100 guests per year.

3.0 GENERAL FINDINGS

3.1 CEQA GENERAL FINDINGS

- A. The County Board of Supervisors finds that changes or alterations have been incorporated into the project to eliminate or substantially lessen all significant impacts where feasible. These changes or alterations include mitigation measures and project modifications outlined herein and set forth in more detail in the DANA LUO Amendment and CUP EIR.
- B. The County Board of Supervisors finds that the project, as approved, includes an appropriate Mitigation Monitoring Program. This mitigation monitoring program ensures that measures that avoid or lessen the significant project impacts, as required by CEQA and the State CEQA Guidelines, will be implemented as described.
- C. Per CEQA Guidelines §15126.4(a)(1)(B), the proposed project includes planning area standards and performance-based conditions relating to environmental impacts and include requirements to prepare more detailed plans that will further define the mitigation based on the more detailed plans to be submitted as a part of the construction phase. Conditions and mitigation measures contain performance-based standards and therefore avoid the potential for these conditions or measures to be considered deferred mitigation under CEQA.

3.2 LEAD AGENCY AND RESPONSIBLE AGENCY USE OF THE FINAL EIR AND FINDINGS

The County, as the CEQA lead agency, is responsible for administering the preparation of the EIR and certifying the Final EIR. The Board will use the Final EIR as an informational document to assist in the decision-making process, ultimately resulting in the approval, denial, or assignment of conditions to the project.

The CEQA Guidelines authorizes lead agencies (public agencies that have principal responsibility for carrying out or approving a project and for implementing CEQA) to approve a project with significant effects if there is no feasible way to lessen or avoid the significant effects and the project's benefits outweigh these effects. Responsible agencies (public agencies other than the lead agency that have responsibility for carrying out or approving a project and for complying with CEQA) have a more limited authority to require changes in the project to lessen or avoid only the effects, either direct or indirect, of that part of the project which the agency will be called on to carry out or approve (PRC §21104(c), §21153(c); CEQA Guidelines §15041(b), §15042).

3.3 THE RECORD

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP and all other public notices issued by the County in conjunction with the proposed project;
- The Final EIR for the proposed project which consists of the Draft EIR, the technical appendices, and the Response to Comments;

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- The Draft EIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review and comment period on the Draft EIR;
- All written and verbal public testimony presented during noticed public hearings for the proposed project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- The documents, reports, and technical memoranda included or referenced in the technical appendices of the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft and Final EIR;
- The Ordinances and Resolutions adopted by the County in connection with the proposed project, and all documents incorporated by reference therein;
- Matters of common knowledge to the County, including but not limited to federal, state, and local laws, regulations, and policy documents;
- Written correspondence submitted to the County in connection with the project;
- All documents, County Staff Reports, County studies, and all written or oral testimony provided to the County in connection with the project;
- The County's General Plan and related ordinances;
- All testimony and deliberations received or held in connection with the project; and,
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e) (excluding privileged materials).

3.4 CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The County Board of Supervisors makes the following findings with respect to the DANA LUO Amendment and CUP Final EIR:

- A. The Board of Supervisors has reviewed and considered the DANA Land Use Ordinance Amendment and Conditional Use Permit Final EIR, documents, and other information listed in Section 3.3 above.
- B. The Final EIR has been completed in compliance with CEQA.
- C. The Final EIR, and all related public comments and responses have been presented to the Board of Supervisors, and they have reviewed and considered the information contained in the Final EIR and testimony presented at the public hearings prior to approving the Land Use Ordinance Amendment and Conditional Use Permit.

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- D. The Final EIR reflects the independent judgment of the Board of Supervisors, acting as the lead agency for the project.
- E. The Board of Supervisors hereby finds and determines that:
 - 1. All significant effects associated with the Conditional Use Permit that can be feasibly avoided have been eliminated or substantially lessened as determined through the findings and supporting evidence set forth in Sections 7.0, 8.0, and 9.0. Language proposed in the LUO Amendment ensures that the County will address project-specific impacts upon review of a land use permit application. The adopted Mitigation Monitoring and Reporting Plan will apply to the Conditional Use Permit.
 - 2. Based on the Final EIR and other documents in the record, specific environmental, economic, social, legal, and other considerations make infeasible other project alternatives identified in the Final EIR.
 - 3. Should approval of the DANA LUO Amendment, CUP, and Development Plan have the potential to result in adverse environmental impacts that are not anticipated or addressed by the Final EIR, subsequent environmental review shall be required in accordance with CEQA Guidelines §15162(a).

5.0 STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR has identified and discussed significant effects that will occur as a result of the proposed project. With the implementation of the mitigation measures identified in the Final EIR, these effects can be mitigated to a level of insignificance. Therefore, no statement of Overriding Consideration is required.

IMPACT ANALYSIS: Impacts of the proposed project and alternatives have been classified using the categories Class I, II, III, and IV as described below:

- **Class I:** Class I impacts are significant and unavoidable. To approve a project resulting in Class I impacts, the CEQA Guidelines require decision makers to make findings and a statement of overriding considerations that discusses as applicable the economic, legal, social, technical and other benefits of the proposed project against the unavoidable environmental risks. The proposed project has not resulted in any Class I impacts.
- **Class II:** Class II impacts are significant but can be mitigated to a level of insignificance by measures identified in the Final EIR and the project description. When approving a project with Class II impacts, the decision-makers must make findings that;
 1. Changes or alternatives to the project have been incorporated that reduce the impacts to a less than significant level, or
 2. That such changes or alternatives are within the responsibility and jurisdiction of another governmental agency and not the Lead Agency making the finding, and that such other governmental agency can and should adopt the required project changes or alternatives.
- **Class III:** Class III impacts are adverse but not significant. Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.
- **Class IV:** Class IV impacts would have a beneficial environmental impact.

6.0 FINDINGS FOR IMPACTS IDENTIFIED AS LESS THAN SIGNIFICANT

The findings below are for Class III impacts. Class III impacts are impacts that are adverse, but not significant. Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the Board of Supervisors finds that each of the following effects have been avoided or will have a less than significant impact, as identified in the Final EIR. The less than significant effects (Impacts) are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

6.1 AESTHETICS (CLASS III)

Introduce a use within a scenic view open to the public	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific aesthetic and historical context impacts upon review of a land use permit application. The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location and design of proposed development, the proposed project impact would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO Amendment would modify §22.112.080(G) South County, Recreation land use category, Dana Adobe, development standards. The modified language deletes a requirement that residential and non-residential uses shall be located “to minimize their appearance from the adobe.” Proposed language would encourage “interpretation of the site’s resources” and use of landscaping to buffer views “between the adobe and support buildings and project infrastructure such as parking lots”. Implementation of the amendment would retain the historical context of the Dana Adobe, including views from public roads and the adobe site itself. These standards would apply to land use permit requests considered upon approval of the LUO Amendment, such as the CUP request analyzed in the Final EIR. Please refer to pages 4.1-1 through 4.1-2 of the Final EIR.</p> <p>Conditional Use Permit. The proposed project would introduce new uses within an area visible from surrounding public roadways. Scenic views, as seen from US 101 and South Oakglen Avenue, include the gently rolling topography of the Nipomo Valley, rising up to prominent ridgelines to the east. The project area includes agricultural production and rangeland, which is not generally considered a sensitive scenic resource. However, the agricultural industry in San Luis Obispo County has historically played, and continues to play, an important role in local lifestyles and the economy, and many local residents have heightened aesthetic appreciation for the vast agricultural fields in the area. The project site is not visible from any designated scenic highways and existing mature trees partially obstruct views from US 101, which is where the highest number of potential viewers would be located. Development would not obstruct views of the distant ridgelines. The proposed project is not set within a visually sensitive viewshed, and proposed developments would protect the historic context of the area. Please refer to pages 4.11-1 through 4.11-5 of the Final EIR.</p>

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Change the visual character of the area	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific aesthetic and historical context impacts upon review of a land use permit application. The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The project includes design features that are generally compatible with the visual character of the area, and historical context of the site. Based on the location and design of proposed development, the proposed project impact would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO Amendment would modify §22.112.080(G) South County, Recreation land use category, Dana Adobe, development standards. The modified language deletes a requirement that residential and non-residential uses shall be located “to minimize their appearance from the adobe.” Proposed language would encourage “interpretation of the site’s resources” and use of landscaping to buffer views “between the adobe and support buildings and project infrastructure such as parking lots”. Implementation of the amendment would retain the historical context of the Dana Adobe, including views from public roads and the adobe site itself. These standards would apply to land use permit requests considered upon approval of the LUO Amendment, such as the CUP request analyzed in the Final EIR. Please refer to pages 4.1-1 through 4.1-2 of the Final EIR.</p> <p>Conditional Use Permit. The visual character of the area represents a transition from urban development to larger residential lots and agricultural areas. The Master Plan would concentrate future development and parking areas closer to South Oakglen Avenue, and would protect and enhance existing on-site open space uses. As proposed, the project would not change the visual character of the area as seen from public roads, and mitigation is identified to ensure that the proposed uses are visually compatible with the setting. The character of the project site, as seen from the Dana Adobe, represents an important visual resource, particularly the views from the eastern side of the adobe looking across the valley towards the Temettate Ridge. Views from the adobe, looking south towards the visitor’s center and parking area, would be partially obstructed by proposed rancho-era structures (replications or reconstructions consistent with the adobe), existing mature trees to remain, and proposed native, drought-tolerant landscaping. Please refer to pages 4.11-1 through 4.11-5 of the Final EIR.</p>

Impact unique geological or physical features	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific aesthetic impacts upon review of a land use permit application. The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The project does not include any features that would block views</p>

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	of the Temettate Ridge, as seen from U.S. 101 and the Dana Adobe. The proposed project impact would be less than significant (Class III).
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO Amendment would modify §22.112.080(G) South County, Recreation land use category, Dana Adobe, development standards. The modified language deletes a requirement that residential and non-residential uses shall be located “to minimize their appearance from the adobe.” Proposed language would encourage “interpretation of the site’s resources” and use of landscaping to buffer views “between the adobe and support buildings and project infrastructure such as parking lots”. Implementation of the amendment would retain the historical context of the Dana Adobe, including views from public roads and the adobe site itself. These standards would apply to land use permit requests considered upon approval of the LUO Amendment, such as the CUP request analyzed in the Final EIR. Please refer to pages 4.1-1 through 4.1-2 of the Final EIR.</p> <p>Conditional Use Permit. The most prominent scenic features in the area include the Nipomo Valley and Temettate Ridge. Views of the valley are intermittent, depending on mature trees, landscaping, and rolling topography. Views of the ridge are clear as seen from US 101, the Dana Adobe, and surrounding areas. Implementation of the project would not block views of the ridge, and the applicant proposes to maintain historical views as seen from the Dana Adobe. Please refer to pages 4.11-1 through 4.11-5 of the Final EIR.</p>

6.2 AGRICULTURAL RESOURCES (CLASS III)

Convert Prime Agricultural Land / Prime Farmland	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location and nature of proposed uses, potential impacts to Prime Farmland (irrigated) and Farmland of Statewide Importance would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendment is only applicable to the Recreation portion of the project site, and would not result in adverse impacts to surrounding agricultural uses.</p> <p>Conditional Use Permit. The existing Dana Adobe and proposed uses would be located within the 30-acre area west of Nipomo Creek on Oceano Sand (0 to 9 and 9-30 percent slopes), and within areas designated as Farmland of Statewide Importance. Uses east of Nipomo Creek (within the 100-acre area), and within areas designated as Prime Farmland if irrigated and Farmland of Statewide Importance, would include rough-graded trails and the emergency access road extending to Thompson Avenue. Please refer to pages 4.12-1 through 4.12-4 of the Final EIR.</p>

Impairment of agricultural uses or result in conversion	
Mitigation	No mitigation measures are necessary.

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Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location and nature of proposed uses, potential impacts to agricultural uses would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendment would not result in a significant impact to water available for agricultural use, because the calculated water demand for the project would not exceed the amount that would be required if the site was developed for residential use, and the proposed water source would be the NCSD. The 100-acre area, and agricultural uses outside the NCSD service boundary, would continue to use onsite wells for water supply. Other proposed LUO changes are only applicable to the Recreation portion of the project site, and would not result in adverse impacts to surrounding agricultural uses.</p> <p>Conditional Use Permit. Implementation of the project would not convert prime agricultural land to non-agricultural uses. Master Plan development would occur within lands considered Farmland of Statewide Importance; however, these areas are not currently used for production agriculture. The 100 acres of land east of Nipomo Creek are not irrigated, and historically supported cattle grazing and dry farming. The development of trails and the creation of an emergency access road would not hinder grazing and other potential agricultural activities in the future. Within the 30-acre area, proposed uses include education about the historical and modern agricultural uses at the project site and the Nipomo Rancho, including the historic tallow vat, an equestrian arena, recreated barn, and interpretive gardens, orchard, and vineyard. Lands east of Nipomo Creek would support open space and agricultural uses, including crop production and livestock grazing outside of County and Land Conservancy of San Luis Obispo County restoration areas. Please refer to pages 4.12-1 through 4.12-4 of the Final EIR.</p>

Conflict with existing zoning or Williamson Act Program	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location and nature of proposed uses, potential impacts to agricultural uses would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendment is only applicable to the Recreation portion of the project site, and would not result in adverse impacts to surrounding agricultural uses.</p> <p>Conditional Use Permit. The proposed uses are consistent with the land use category of applicable parcels, and would not result in any land use conflicts. Special events would be limited to the property west of Nipomo Creek, within the Recreation land use category. No portion of the project site is under a Williamson Act contract; however, parcels to the northwest, northeast, and southeast of the 100 acre area are under Williamson Act contract. These parcels are located approximately 300 feet southeast of the emergency access drive, and 300 feet northwest and 500 feet west of existing ranch roads (to be used as public trails). The Holloway Christmas Tree Farm is located approximately 0.2 mile to the northwest</p>

	of the Dana Adobe, on South Oakglen Avenue. Implementation of the project would not include any uses directly adjacent to agricultural lands, and would not include any activities that would impair agricultural uses in the area. Please refer to pages 4.12-1 through 4.12-4 of the Final EIR.
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6.3 AIR QUALITY (CLASS III)

Expose sensitive receptor to substantial air pollutant concentrations	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the amount of emissions generated by the project, construction and operation activities would not generate substantial air pollutant concentrations affecting sensitive receptors, and potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. Ground disturbance would generate dust potentially resulting in a nuisance for adjacent residential and agricultural land uses. Projects which emit more than 25 lbs/day or 25 tons/year of fugitive particulate matter need to implement permanent dust control measures to mitigate the emissions below these thresholds or provide suitable off-site mitigation approved by the APCD. Any land uses or activities can result in dust emissions that exceed the APCD significance thresholds, cause violations of an air quality standard, or create a nuisance impact in violation of APCD Rule 402, Nuisance. In all cases where such impacts are predicted, appropriate fugitive dust mitigation measures shall be implemented. Driveways, paths, and trails within the area proposed for developed would be paved or surfaced with decomposed granite or gravel, which would reduce the creation of dust. The existing driveway to the Dana Adobe, existing ranch roads on the 100-acre area, and proposed trails on the 100-acre area would not be paved or surfaced, which may create dust when used. Operation of the arena would generate dust, and would require suppression measures. However, based on the estimated emissions, the project would not generate substantial air pollutant concentrations affecting sensitive receptors. Please refer to pages 4.2-1 through 4.2-22 of the Final EIR.</p>

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Create or expose people to objectionable odors	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the type and location of the project, construction and operation of the project would not generate substantial odors affecting adjacent landowners; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses or allow a new use that would generate significant objectionable odors. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. Construction of the proposed project would not generate objectionable odors. Use of the proposed arena may generate odors; however, the existing use of the site includes equestrian grazing, and surrounding areas are agricultural in nature. This use would be consistent with other uses in the area, and would not generate substantial odors affecting adjacent landowners. Please refer to pages 4.2-1 through 4.2-22 of the Final EIR.</p>

Consistency with the SLOAPCDs Clean Air Plan	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. The proposed changes would not result in land uses that are inconsistent with uses anticipated under the Clean Air Plan. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the type and location of the project, the uses are consistent with the Clean Air Plan, and potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a</p>

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	<p>change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. The project is consistent with the general level of development anticipated and projected in the CAP. The project is consistent with the CAP's land use planning strategies, including the provision of educational and recreational opportunities within and adjacent to the Nipomo urban area. Please refer to pages 4.2-1 through 4.2-22 of the Final EIR.</p>
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Hazardous or toxic air pollutants in proximity of sensitive receptors, increased cancer risk	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. As proposed, the project would not generate or result in public exposure to hazardous or toxic air pollutants in proximity of sensitive receptors, and is not located in an area at risk for exposure to hazardous or toxic air pollutants; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses that would create or expose persons to hazardous or toxic pollutants. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. The APCD has set thresholds for ozone precursor emissions, DPM, fugitive particulate matter emissions (dust), and CO emissions. Impacts related to this are discussed in AQ Impacts 1 through 4. Ozone precursor emissions are measured as combined ROG and NOx emissions. DPM is seldom emitted from individual projects in quantities which lead to local or regional air quality attainment violations. DPM is, however, a toxic air contaminant and carcinogen, and exposure to DPM may lead to increased cancer risk and respiratory problems (refer to AQ Impact 3). Based on the nature of the project, it would not generate or expose the public to toxic emissions resulting in an increased cancer risk. Please refer to pages 4.2-1 through 4.2-22 of the Final EIR.</p>

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Emission of diesel particulate matter	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. As proposed, the project would not generate or result in public exposure to hazardous or toxic air pollutants in proximity of sensitive receptors, and is not located in an area at risk for exposure to hazardous or toxic air pollutants; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. The APCD has set thresholds for DPM. Impacts related to this are discussed in AQ Impact 3. Based on the nature of the project, it would not generate or expose the public to toxic emissions resulting in an increased cancer risk. Please refer to pages 4.2-1 through 4.2-23 of the Final EIR.</p>

Hazardous or toxic air pollutants in proximity of sensitive receptors, such as schools, churches, hospitals	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. As proposed, the project would not generate or result in public exposure to hazardous or toxic air pollutants in proximity of sensitive receptors, and is not located in an area at risk for exposure to hazardous or toxic air pollutants; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use</p>

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	<p>category, allowable uses, or density of uses that would create or expose persons to hazardous or toxic pollutants. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. The APCD has set thresholds for DPM. Impacts related to this are discussed in AQ Impact 3. Based on the nature of the project, it would not generate or expose the public to toxic emissions resulting in an increased cancer risk. Please refer to pages 4.2-1 through 4.2-24 of the Final EIR.</p>
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Nuisance odor problem	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, agricultural nature of the immediate area and consistency with equestrian uses onsite and in the vicinity, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses or allow a new use that would generate significant objectionable odors. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. Construction of the proposed project would not generate objectionable odors creating a nuisance. Use of the proposed arena may generate odors; however, the existing use of the site includes equestrian grazing, and surrounding areas are agricultural in nature. This use would be consistent with other uses in the area, and would not generate substantial odors affecting adjacent landowners. Please refer to pages 4.2-1 through 4.2-25 of the Final EIR.</p>

Greenhouse gas emissions and climate change	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document)</p>

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	<p>ensures that the County will address project-specific air quality and greenhouse gas impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, and level of greenhouse gas emission that would be generated during construction and for the estimated life of the project, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance. The proposed amendments do not include language that would have an adverse effect related to greenhouse gas emissions, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses that would result in a substantial increase in greenhouse gas emissions. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific greenhouse gas impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. Based on emission estimates calculated with CalEEMod (refer to Table 4.2-6 in the EIR), development of the project would generate approximately 79.45 MT of CO₂e per year for the lifetime of the project. This would not exceed the APCD's adopted threshold (1,150 MT/year). In addition, the proposed project incorporates many of APCD's standard measures for GHG reduction, including: the creation of multi-use paths; use of buses to shuttle visitors and students; drought-tolerant and native landscaping; use of alternative energy including solar; water conservation measures; and, the location of the project within and adjacent to an urban area. Please refer to pages 4.2-1 through 4.2-25 of the Final EIR.</p>

6.4 BIOLOGICAL RESOURCES (CLASS III)

Result in a loss of unique or special status species or their habitats	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific biological resource impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the design of the project, general avoidance of sensitive habitats, and restoration of sensitive habitat, potential impacts to unique or special-status species and their habitats during operation of the project would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to biological resources. Any future development of the site may have adverse effects on special status species and habitats, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of impacts to biological resources. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific biological resource impacts, the identified planning area standard would require the project applicant to avoid or minimize impacts to special status species and sensitive habits, and implement measures such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies. Please refer to pages 4.3-1 through 4.3-10 of the Final EIR.</p> <p>Conditional Use Permit. In the long term, operation of the project would increase the amount of human activity in the immediate area, including the 100-acre portion to remain in open space and for trail use, which may affect wildlife behavior. The applicant proposes several design features and components of the project that aim to preserve the cultural, historical, and environmental resources present at the site to the extent feasible, including: on-site storm water management, use of recycled materials, native and drought-tolerant landscaping, and on-site wastewater treatment. Additionally, a significant component of the proposed project is the riparian restoration effort being implemented in conjunction with the County and Land Conservancy of San Luis Obispo County. It is also anticipated that the actions proposed to resolve the headcut on Carillo Creek will improve the adjacent habitat communities and reduce erosion and sedimentation into Nipomo Creek. Please refer to pages 4.3-1 through 4.3-13 of the Final EIR.</p>

Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific biological resource impacts upon review</p>

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	<p>of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the design of the project, long-term impacts to wildlife would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to biological resources. Any future development of the site may have adverse effects on special status species and habitats, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of impacts to biological resources. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific biological resource impacts, the identified planning area standard would require the project applicant to avoid or minimize impacts to special status species and sensitive habits, and implement measures such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies. Please refer to pages 4.3-1 through 4.3-10 of the Final EIR.</p> <p>Conditional Use Permit. Long-term operational impacts associated with increased human activity, noise, light, and traffic may occur. Project design details would mitigate the potential for long-term daytime and nighttime hindrances to the normal activities of wildlife, including the use of existing agricultural roads as trails, protection and enhancement of on-site riparian, open space and agricultural uses, and exterior light standards. Although additional human traffic would be present at the project site, users would be directed to remain on designated trails, which would provide educational information regarding the site's natural resources and the consequences of human interaction with the land. Please refer to pages 4.3-1 through 4.3-18 of the Final EIR.</p>

6.5 GEOLOGY AND SOILS (CLASS III)

Unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence, or similar hazards	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. The proposed language would not introduce a use within an area not currently zoned for land development.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, lack of significant geologic hazards onsite, and compliance with existing regulations, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect to geology and soils. Potential impacts would be project specific, depending on location, size, and type of development, and areas proposed for disturbance. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of geology and soils impacts. In order to ensure that future projects, such as the proposed Master Plan</p>

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	<p>and CUP, address project-specific geology and soils impacts, the identified planning area standard would require the project applicant to include measures to reduce erosion and sedimentation and ensure compliance with water quality standards. Please refer to pages 4.5-1 through 4.5-6 of the Final EIR.</p> <p>Conditional Use Permit. Based on County GIS data, the project site is mapped as having low to high potential for landslide hazards and low to moderate liquefaction potential. No known landslides have occurred at the project site and the potential for a landslide is considered low due to the lack of steep slopes at the site. The potential for subsidence or hydrocollapse of subsurface materials is considered low due to the presence of medium dense to dense older sand dune deposits. The project site may be affected by moderate to major earthquakes centered on one of three active faults within 40 miles of the project site. Although a significant event on these faults could result in moderate to severe ground shaking, the potential for ground failure is considered low due to the medium dense to dense subsurface material. There is a potential for slope instability in the immediate vicinity of Nipomo Creek (where the slope of the creek bank exceeds 15%); therefore, the project incorporates a 50-foot setback from the creek bank (not including trails, emergency access drive, and associated creek crossing). No significant geologic hazards were identified. Based on the Nipomo Mesa Management Area 5th Annual Report Calendar Year 2012 "there is currently no evidence of land subsidence within the Nipomo Mesa Management Area (NMMA), although small amounts of subsidence might go undetected" (NMMA 2013). Based on the proposed water demand (1.28 acre feet/year), this amount of water use would not directly result in land subsidence. Please refer to pages 4.5-1 through 4.5-6 of the Final EIR.</p>
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Soil erosion, topographic changes, loss of topsoil or unstable soil conditions	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. The proposed language would not introduce a use within an area not currently zoned for land development. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific erosion and sedimentation impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, area and topography of proposed disturbance areas, and compliance with existing regulations, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect to geology and soils. Potential impacts would be project specific, depending on location, size, and type of development, and areas proposed for disturbance. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of geology and soils impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific geology and soils impacts, the identified planning area standard would require the project applicant to include measures to reduce erosion and sedimentation and ensure compliance with water quality standards. Please refer to pages 4.5-1 through 4.5-6 of the Final EIR.</p> <p>Conditional Use Permit. As proposed, the project will result in the disturbance of approximately 8.3 acres. Construction activities, including ground disturbance and vegetation removal have the potential to result in erosion and down-gradient sedimentation. The</p>

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	applicant is required to comply with LUO §22.52.120 (Erosion and Sedimentation Control Plan Required) and submit an erosion control plan, and will also be required to prepare a SWPPP for review and approval by the RWQCB, pursuant to state regulations and LUO §22.52.130 (SWPPP Required). Please refer to pages 4.5-1 through 4.5-7 of the Final EIR.
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Consistency with the County's Safety Element	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. The proposed language would not introduce a use within an area not currently zoned for land development. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific erosion and sedimentation impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, lack of significant geologic hazards onsite, and compliance with existing regulations, the project would be consistent with the County's Safety Element, and potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that is inconsistent with the County's Safety Element. Potential impacts would be project specific, depending on location, size, and type of development, and areas proposed for disturbance. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of geology and soils impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific geology and soils impacts, the identified planning area standard would require the project applicant to include measures to reduce erosion and sedimentation and ensure compliance with water quality standards. Please refer to pages 4.5-1 through 4.5-6 of the Final EIR.</p> <p>Conditional Use Permit. Geologic and seismic hazards at the project site are considered to be low as discussed above. Project developments would comply with the most recent UBC requirements and would not place structures or people in areas of high geologic or seismic risk. Please refer to pages 4.5-1 through 4.5-7 of the Final EIR.</p>

6.6 HAZARDS AND HAZARDOUS MATERIALS (CLASS III)

Create a hazard through routine transport, use, or disposal of hazardous materials	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of proposed disturbance, and nature of the proposed project, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p> <p>Conditional Use Permit. The project does not propose the use of hazardous materials, aside from legal storage of standard materials including but not limited to paints, cleaners, oils, and fuels for construction and operation of the project and maintenance of the Dana Adobe. There is no potential for further hazardous materials contamination related to the ConocoPhillips remediation site, as implementation of the approved remediation measures eliminates the potential exposure to hazardous materials. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p>

Emit hazardous emissions or handle hazardous materials within 0.25 mile of a school	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location and nature of the proposed project, and lack of schools within ½ mile, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials, and the project site is not located within 0.25 mile of a school. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p> <p>Conditional Use Permit. The project would not emit hazardous emissions or require handling hazardous materials within 0.25 mile of a school. The closest school is Nipomo Elementary School, approximately 1 mile from the site. The site does host school-aged children for educational opportunities; however, operation of the site would not require the handling of hazardous materials and no elements would emit hazardous emissions. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p>

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Be located on, or adjacent to "Cortese List" site	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the Category 1 classification of the soil contamination, completion of remediation actions, on-going annual groundwater monitoring conducted by ConocoPhillips and the RWQCB, and proposed location of development and trails, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials. Please refer to discussion below regarding the hazardous spill remediation project that is located within the subject parcel. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p> <p>Conditional Use Permit. The project site is not listed on the Envirostor Hazardous Waste and Substances Site "Cortese List" (DTSC 2007), List of "active" Cease and Desist Orders and Cleanup and Abatement Orders from the Water Board (DTSC 2013c), or sites identified with waster constituents above hazardous waste levels outside the Waste Management Unit (DTSC 2013b). There is a hazardous spill remediation project within the project site, at Nipomo Creek, approximately 300 feet east of the Dana Adobe (Line 300, RM&R Site No. 3788, SL0607907605). The site is listed in the GeoTracker database (DTSC 2013a) as a "Cleanup Program Site". The site is identified as a Category 1, which includes most LUFT sites and many small commercial facilities, such as dry cleaners. Category 1 sites are characterized by soil or groundwater contamination that does not pose an immediate human health threat and does not extend off-site onto neighboring properties (SWRCB 2013). Remediation occurred within the contaminated area, including the removal of approximately 2,100 cubic yards of hydrocarbon-impacted (or potentially impacted) soil, and an impermeable liner was placed within the ground. All actions occurred pursuant to numerous permits and notifications, and the project was completed in December 20, 2011. Revegetation monitoring and groundwater monitoring is ongoing. All proposed development, including all grading, construction, vegetation plantings, and trails would be located outside of the delineated plume and isolated soil contamination site (Boring B-22) by at least approximately 100 feet, and such actions would be limited to surface disturbance for trail development. Please refer to pages 4.6-1 through 4.6-12 of the Final EIR.</p>

Emergency response or evacuation plan	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) requires demonstration of adequate emergency access, as determined by CAL FIRE, prior to approval of a use permit and further development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, and proposal to construct an</p>

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	emergency access drive, potential impacts would be less than significant (Class III).
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials. The amendment includes a clarification regarding the Southland Interchange project, which is no longer proposed by the County and California Department of Transportation (Caltrans). Development is required to demonstrate adequate emergency access, as determined by CAL FIRE. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p> <p>Conditional Use Permit. The project is not expected to conflict with any regional evacuation plan. The project includes primary access from South Oakglen Avenue, and a 0.6-mile emergency access drive between South Oakglen Avenue to Swallow Court and on to South Thompson Avenue. The emergency access drive would cross over Nipomo Creek via a flatcar bridge. The emergency access drive would provide a secondary exit route for visitors and staff, and a secondary route for access by emergency responders, including County Sheriff and CAL FIRE. The project site is not located within 2 miles of a private or public airport and would not interfere with air traffic. Please refer to pages 4.6-1 through 4.6-12 of the Final EIR.</p>

Airport review designation/private airstrip safety hazards	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, and lack of public or private airports within two miles of the project site, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials, and the subject parcel is not located within an airport land use plan or within two miles of a public or private airport or airstrip. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p> <p>Conditional Use Permit. The project site is not located within an airport land use plan or within two miles of a public or private airport or airstrip. Modern solar panels are not reflective to maximize solar energy absorption, and the project does not include any features that would result in a significant air traffic safety hazard. Please refer to Figure 2-1 Project Vicinity and page 4.6-12 of the Final EIR.</p>

Fire hazard risk/high fire hazard severity zone/state responsibility area	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) requires demonstration of adequate emergency access, as determined by CAL FIRE, prior to approval of a use permit and further development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by</p>

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	<p>Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, which is not located within a high fire hazard area, and compliance with existing regulations, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials, and would not increase development density within a high fire hazard zone. The amendment includes a clarification regarding the Southland Interchange project, which is no longer proposed by the County and California Department of Transportation (Caltrans). Development is required to demonstrate adequate emergency access, as determined by CAL FIRE. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p> <p>Conditional Use Permit. The project site is located within a moderate fire hazard severity zone and is within a State Responsibility Area, and within a 5-minute response zone. The applicant is required to comply with existing regulations, including the 2010 California Fire Code and 2010 California Building Code. In addition, the project includes an emergency access drive, which would be used for secondary egress from the site, and ingress by emergency responders. CAL FIRE reviewed the project, including the access plan, determined that the emergency access drive would be adequate. Please refer to pages 4.6-1 through 4.6-13 of the Final EIR.</p>

6.7 NOISE (CLASS III)

Severe noise or vibration	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific noise impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on compliance with the LUO, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to noise. Any future development may be affected by transportation-related noise, and may generate noise, potentially affecting nearby noise sensitive land uses. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of noise impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific noise impacts, the identified planning area standard would require the project to include measures to reduce potential noise impacts, such as limitations on maximum noise level, duration of special events, noise monitoring, and remediation for complaints. Please refer to pages 4.7-1 through 4.7-6 of the Final EIR.</p> <p>Conditional Use Permit. Construction of the project would include use of large construction equipment. Construction would occur pursuant to the LUO, would be limited in duration, and would not generate severe noise levels or vibration. Please refer to pages 4.7-1 through 4.7-10 of the Final EIR.</p>

6.8 POPULATION AND HOUSING (CLASS III)

Induce substantial growth	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) would not remove a barrier to growth or result in additional housing.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The proposed emergency access road would not be used as secondary or primary access for the project site or surrounding area, and would not induce growth; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendments do not include language that would result in an adverse effect related to population and housing, and would result in the need for additional housing, or displace existing housing. The proposed amendment would not result in intensification of land use or remove a barrier to growth. The proposed amendment includes an update to language regarding the Southland Street interchange (§22.112.080.G.1). The language is clarified to delete the reference to this interchange project because it is no longer proposed by County Public Works and Caltrans, and replaces it with a requirement for emergency access. This change meets the intent of the original measure by providing emergency access to and from the project site, and would not induce substantial growth in the area. No additional planning area standards are necessary.</p> <p>Conditional Use Permit. The proposed project would include the construction of an emergency access road to provide emergency egress from the site in the event that South Oakglen Avenue is impeded by hazardous conditions. This road would not be used as secondary or primary access for the project site, or surrounding uses, and would not induce growth in the area. Please refer to pages 4.12-1 through 4.12-6 of the Final EIR.</p>

Create the need for substantial new housing	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the nature of the project it would not create the need for new housing; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendments do not include language that would result in an adverse effect related to population and housing, and would result in the need for additional housing, or displace existing housing. The proposed amendment would not result in intensification of land use or remove a barrier to growth. The proposed amendment includes an update to language regarding the Southland Street interchange (§22.112.080.G.1). The language is clarified to delete the reference to this</p>

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	<p>interchange project because it is no longer proposed by County Public Works and Caltrans, and replaces it with a requirement for emergency access. This change meets the intent of the original measure by providing emergency access to and from the project site, and would not induce substantial growth in the area. No additional planning area standards are necessary.</p> <p>Conditional Use Permit. The project would create an educational and cultural learning facility, which would bring local and regional visitors to the area. However, the project is not expected to result in any permanent population growth in the area. The project includes development of emergency access, but would not result in any major extension of infrastructure. Therefore, the project will not result in a need for a significant amount of new housing. Please refer to pages 4.12-1 through 4.12-6 of the Final EIR.</p>
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6.9 PUBLIC SERVICES AND UTILITIES (CLASS III)

Public services and utilities (fire protection, police protection, schools, roads, or solid waste disposal sites)	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) does not include language that would result in increased development density of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the nature of the project, construction and operation of the proposed uses would not generate a significant demand for public services or utilities, and would not require the construction of new public facilities (i.e. fire protection, police protection, schools, roads, or solid waste disposal sites); therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to public services and utilities, because the amendments would not increase the potential development density of the site. The amendments would clarify language applicable to the Recreation land use category, specific to the project site (LUO §22.112.080.G). The proposed changes clarify the Master Plan and permit process for the site, and clarify development requirements to maintain the historical context of the Dana Adobe, which would result in a beneficial effect by preserving a historical and educational resource for the public. No additional planning area standards are necessary.</p> <p>Conditional Use Permit. The project would create additional demand for public services including fire protection, police protection, schools, roads, and capacity at solid waste disposal sites; however, the project enhances the existing use onsite, which is currently served by emergency responders and other public facilities. New development at the site is not expected to significantly impact area emergency response times or service levels, and would not place a demand on local schools. Please refer to pages 4.8-1 through 4.8-7 of the Final EIR.</p>

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Other public facilities (wastewater, water services, recreation, public energy)	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) does not include language that would result in increased development density of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the nature of the project, construction and operation of the proposed uses would not generate a significant demand for other public services or utilities, and would not require the construction of new public facilities (i.e. wastewater treatment and disposal, water services, recreational, and public energy); therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to public services and utilities, because the amendments would not increase the potential development density of the site. The amendments would clarify language applicable to the Recreation land use category, specific to the project site (LUO §22.112.080.G). The proposed changes clarify the Master Plan and permit process for the site, and clarify development requirements to maintain the historical context of the Dana Adobe, which would result in a beneficial effect by preserving a historical and educational resource for the public. These amendments would not affect recreational resources onsite or in the community, because it would not generate additional demand for recreational opportunities or affect an existing recreational resource. No additional planning area standards are necessary.</p> <p>Conditional Use Permit. The project does not include connection to a community wastewater system, although the NCSD has indicated available capacity. Standard improvements are required for connection to the NCSD community water system (water line). Based on the educational and recreational components, the project would have a beneficial effect on public recreational resources. The impacts to public energy utilities at the project site as a result of the actions proposed in the Master Plan will be minimal. The project includes the use of solar panels to reduce the need for energy, and proposes educational opportunities related to energy-efficiency and sustainability measures. The proposed project would not require a substantial amount of energy to construct and operate, and would be served by existing utility companies. Please refer to pages 4.8-1 through 4.8-8 of the Final EIR.</p>

6.10 TRANSPORTATION, CIRCULATION, AND TRAFFIC (CLASS III)

TC Impact 1	
Operation of the project would generate additional daily and special event trips, resulting in a less than significant, long-term impact to South Oakglen Avenue.	
Mitigation	<p>TC/mm-1 Upon application for construction permits for development of the 30-acre site, the applicant shall submit a street plan and profile to widen South Oakglen Avenue to complete the project site of an A-1 rural street section fronting the property. All proposed driveways shall be constructed in accordance with County Standard B-1 series drawings.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, less than significant TC Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p>

TC Impact 1	
	<p>Mitigation measure TC/mm-1 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it identifies standard road improvements that would be required upon approval of the proposed CUP and construction of an approved project. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific transportation, circulation, and traffic impacts upon review of a land use permit application. TC/mm-1 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on consultation with County Public Works, the applicant is required to implement standard off-site road improvements, including widening South Oakglen Avenue along the property frontage, improving the driveway to meet County Standards, and restricting parking on South Oakglen Avenue (County Public Works 2011). While the project would increase vehicle trips to the local and areawide circulation system, these improvements would minimize impacts associated with transportation along those routes. The proposed project impact would be less than significant (Class III), and is further reduced by identified mitigation.</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendment would not result in a land use designation change, intensification of land use, or remove a barrier to growth. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific transportation and circulation impacts, the identified planning area standard would require the project applicant to present measures to reduce impacts to roads and intersections in the area, such as adjustments to peak hour trip generation, payment of road fees, and street improvements based on consultation with the County Department of Public Works. Please refer to pages 4.9-1 through 4.9-4 of the Final EIR.</p> <p>Conditional Use Permit. Weekly activities at the project site would generate approximately 130 ADT, including nine trips during the AM peak hour and 11 trips during the PM peak hour. The highest number of weekend day trips would occur between May and September due to special events (up to 298 ADT), assuming multiple events are held on the same day. This is an unlikely situation, but was assessed in the traffic study to determine a reasonable "worst case scenario". An average weekend day would also generate 28 ADT from daily visitors and employees. The maximum daily attendance for a large event would generate approximately 600 ADT (assuming an average of 2.5 persons per vehicle at a 1,500 person event), which would occur only once per year. Compared to existing conditions, the project would generate approximately 104 additional daily trips during an average weekday, which includes an additional 38 daily visitor trips and 66 additional special event trips. On the weekends, the project would generate approximately 38 additional daily trips, including 20 additional daily visitor trips and 18 additional special event trips. This would result in approximately eight additional trips during an average weekday AM and PM peak hour, and nine peak trips on the average weekend day. This level of trip generation would not have an adverse effect on South Oakglen Avenue. Please refer to pages 4.9-1 through 4.9-5 of the Final EIR.</p>

Create unsafe conditions	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific transportation, circulation, and traffic</p>

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	<p>impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on review of the project by a transportation engineer, including a review of existing and propose access routes and intersections, the project would not create or subject persons to unsafe traffic conditions; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendment would not result in a land use designation change, intensification of land use, or remove a barrier to growth. The proposed amendment includes an update to language regarding the Southland Street interchange (§22.112.080.G.1). The language is clarified to delete the reference to this interchange project because it is no longer proposed by the County Public Works and Caltrans, and replaces it with a requirement for emergency access. This change meets the intent of the original measure by providing emergency access to and from the project site, and would not result in a significant transportation or safety related impact. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific transportation and circulation impacts, the identified planning area standard would require the project applicant to present measures to reduce impacts to roads and intersections in the area, such as adjustments to peak hour trip generation, payment of road fees, and street improvements based on consultation with the County Department of Public Works. Please refer to pages 4.9-1 through 4.9-4 of the Final EIR.</p> <p>Conditional Use Permit. The traffic safety analysis included a review of stopping sight distance at the proposed access driveway and South Oakglen Avenue. Stopping sight distance was recorded at 475 feet for southbound vehicles traveling towards the driveway, which is adequate at a speed of 50 mph. There is a relatively unobstructed line of sight looking south from the driveway toward Southland Street; therefore, stopping sight distance for northbound vehicles approaching the project driveway will be sufficient. The traffic analysis determined that a left turn lane is not warranted on South Oakglen Avenue, and project traffic will not significantly impact safety along South Oakglen Avenue (Rick Engineering 2012). Please refer to pages 4.9-1 through 4.9-6 of the Final EIR.</p>

Emergency access	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific transportation, circulation, and traffic impacts upon review of a land use permit application, and also requires demonstration of adequate emergency access, as determined by CAL FIRE, prior to approval of a use permit and further development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the proposed construction of emergency access pursuant to approval by CAL FIRE, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendment would not result in a land use designation change, intensification of land use, or remove a barrier to growth. The proposed amendment includes an update to language regarding the Southland Street</p>

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	<p>interchange (§22.112.080.G.1). The language is clarified to delete the reference to this interchange project because it is no longer proposed by the County Public Works and Caltrans, and replaces it with a requirement for emergency access. This change meets the intent of the original measure by providing emergency access to and from the project site, and would not result in a significant transportation or safety related impact. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific transportation and circulation impacts, the identified planning area standard would require the project applicant to present measures to reduce impacts to roads and intersections in the area, such as adjustments to peak hour trip generation, payment of road fees, and street improvements based on consultation with the County Department of Public Works. Please refer to pages 4.9-1 through 4.9-4 of the Final EIR.</p> <p>Conditional Use Permit. An approximately 0.6-mile, 18-foot-wide, gated, all-weather emergency access drive is proposed to extend from South Oakglen Avenue to Swallow Lane and on to South Thompson Road, and would include an 89-foot-long, 10-foot-wide flatcar bridge over Nipomo Creek. The intent of the road is to allow for emergency egress only in the event South Oakglen Avenue is not accessible. Based on review by CAL FIRE (2011, 2012), the project includes adequate emergency access. Please refer to Figure 2-3 Stores of the Rancho Plan and pages 4.9-1 through 4.9-6 of the Final EIR.</p>
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Conflict with adopted alternative transportation policies, plans, or programs	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific transportation, circulation, and traffic impacts upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The project includes the use of alternative transportation measures, including buses and shuttles; therefore, the project would not conflict with adopted transportation policies, plans, or programs, and potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendment would not result in a land use designation change, intensification of land use, or remove a barrier to growth. The language does not conflict with County or regional policies related to alternative transportation because it clarifies language related to allowable use of the site. Please refer to pages 4.9-1 through 4.9-4 of the Final EIR.</p> <p>Conditional Use Permit. The project is consistent with adopted transportation and circulation plans, which include alternative transportation policies and strategies. Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies. Please refer to Chapter 2 Project Description and pages 4.9-1 through 4.9-7 of the Final EIR.</p>

Change in air traffic patterns	
Mitigation	No mitigation measures are necessary.

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Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The project site is located approximately eight miles from the nearest airport, and would not conflict with air traffic; therefore potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendment would not result in a land use designation change, intensification of land use, or remove a barrier to growth. The subject parcel is located approximately eight miles from near nearest airport (Oceano) and is not subject to the Oceano Airport Land Use Plan. Please refer to pages 4.9-1 through 4.9-4 of the Final EIR.</p> <p>Conditional Use Permit. The project site is separated from the nearest airport by approximately eight miles (Oceano) and is, therefore, not expected to affect air traffic patterns or result in air traffic-related safety risks. Please refer to Figure 2.1 Project Vicinity pages 4.9-1 through 4.9-7 of the Final EIR.</p>

6.11 WASTEWATER (CLASS III)

Violate waste discharge requirements or basin plan criteria	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The proposed on-site septic systems would be constructed pursuant to existing regulations, including the Basin Plan, which would ensure compliance with waste discharge requirements. Preliminary review of the project site, including Percolation Testing Report (Geosolutions 2011a), verified that the site can support on-site septic systems; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendments do not include language that would result in an adverse effect related to wastewater. Any future development of wastewater treatment and disposal facilities requires compliance with the LUO and the Basin Plan and review by the County Planning and Building Department. No additional planning area standards are necessary.</p> <p>Conditional Use Permit. Based on the results of the Engineering Geology Report (Geosolutions 2011b) and Percolation Testing Report (Geosolutions 2011a), percolation rates average about 7 minutes per inch, and groundwater was encountered at a depth of 30 feet bgs. The project includes construction of vertical gravel pits, which may be constructed to a depth of 25 feet below the surface. The vertical system was evaluated by Geosolutions (Review of Proposed Visitor Center Building, 2012). While the standard horizontal system was noted as the preferred option, Geosolutions also stated that vertical pits could be constructed. Depth of the vertical system would be limited by the depth to groundwater and the presence of underlying clay soils, in order to achieve an adequate separation consistent with County Code and the Basin Plan (at least 10 feet) to protect groundwater quality. In the event further investigation by the applicant's engineer and the County Building Department determines that a vertical system would not meet local and state regulations including</p>

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	<p>separation between the system and groundwater, standard or engineered horizontal systems may be constructed. The proposed systems meet other criteria identified in the Basin Plan and Plumbing Code. The project site has sufficient land area per the County's LUO to support an on-site system. The site's slope is less than 20%, and the systems would be located outside of the 100-year flood zone and more than 100 feet from on-site creeks and water bodies. There would be adequate distance between the proposed leach lines and existing or proposed wells. Based on the above discussion and information provided, the site appears to be able to support an on-site system that will meet County Plumbing Code/Basin Plan requirements. Due to the fast percolation rate and depth to groundwater, the system would need to be engineered to address these conditions. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant is required to show the compliance with the County Plumbing Code/Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Please refer to pages 4.12-8 through 4.12-11 of the Final EIR.</p>
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Change the quality of surface or groundwater	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The proposed on-site septic systems would be constructed pursuant to existing regulations, including the Basin Plan, which would ensure compliance with waste discharge requirements and water quality regulations. Preliminary review of the project site, including Percolation Testing Report (Geosolutions 2011a), verified that the site can support on-site septic systems without violating existing regulations; therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendments do not include language that would result in an adverse effect related to wastewater. Any future development of wastewater treatment and disposal facilities requires compliance with the LUO and the Basin Plan and review by the County Planning and Building Department. No additional planning area standards are necessary.</p> <p>Conditional Use Permit. Based on the results of the Engineering Geology Report (Geosolutions 2011b) and Percolation Testing Report (Geosolutions 2011a), percolation rates average about 7 minutes per inch, and groundwater was encountered at a depth of 30 feet bgs. The project includes construction of vertical gravel pits, which may be constructed to a depth of 25 feet below the surface. The vertical system was evaluated by Geosolutions (Review of Proposed Visitor Center Building, 2012). While the standard horizontal system was noted as the preferred option, Geosolutions also stated that vertical pits could be constructed. Depth of the vertical system would be limited by the depth to groundwater and the presence of underlying clay soils, in order to achieve an adequate separation consistent with County Code and the Basin Plan (at least 10 feet) to protect groundwater quality. In the event further investigation by the applicant's engineer and the County Building Department determines that a vertical system would not meet local and state regulations including separation between the system and groundwater, standard or engineered horizontal systems may be constructed. The proposed systems meet other criteria identified in the Basin Plan and Plumbing Code. The project site has sufficient land area per the County's LUO to support an on-site system. The site's slope is less than 20%, and the systems would be located outside of the 100-year flood zone and more than 100 feet from on-site creeks and water bodies. There would be adequate distance between the proposed leach lines and existing or proposed wells. Based on the above discussion and information provided, the site appears to be able to support an on-site system that will meet County Plumbing Code/Basin</p>

	Plan requirements. Due to the fast percolation rate and depth to groundwater, the system would need to be engineered to address these conditions. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant is required to show the compliance with the County Plumbing Code/Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Please refer to pages 4.12-8 through 4.12-11 of the Final EIR.
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6.12 WATER RESOURCES (CLASS III)

Change the quality of groundwater	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address review project-specific LID strategies and compliance with the current Stormwater Management Program upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on compliance with existing rules and regulations, the potential for the project to result in significant impacts to groundwater quality would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment would not result in an increased demand for water resources, and does not include any changes that are inconsistent with the County Code and General Plan related to hydrology and water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including quantification of water demand and assessment of potential water quality impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. Based on the results of the Engineering Geology Report (GeoSolutions 2011a) and Percolation Testing Report (GeoSolutions 2011b) percolation rates average about 7 minutes/inch, and groundwater was encountered at a depth of 30 feet bgs. The project includes construction of vertical gravel pits, which may be constructed to a depth of 25 feet below the surface. The vertical system was evaluated by GeoSolutions (Review of Proposed Visitor Center Building, 2012). While the standard horizontal system was noted as the preferred option, GeoSolutions also stated that vertical pits could be constructed. The depth of the vertical system would be limited by the depth to groundwater and the presence of underlying clay soils, in order to achieve an adequate separation consistent with County Code and the Basin Plan (at least 10 feet) to protect groundwater quality. On the 100-acre portion of the project site, existing on-site wells would be used for proposed creek restoration activities, and proposed and ongoing restoration conducted by the County and the Land Conservancy of San Luis Obispo County. These wells will also be available for agricultural uses on this portion of the site. These restoration actions, including riparian and other vegetation plantings, are not anticipated to require a substantial amount of</p>

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	groundwater beyond existing and historical conditions once they are established. The approximately 1.28 afy of water to be supplied by the NCSD would contribute to the overall demand for water within Nipomo; however, the project's demand is negligible compared to the demand on the basin, and no saltwater intrusion or other groundwater quality impacts would occur as a direct result of the project. Please refer to pages 4.10-1 through 4.10-12 of the Final EIR.
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Change rates of soil absorption, surface runoff, drainage patterns	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address review project-specific LID strategies and compliance with the current Stormwater Management Program upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on implementation of project components that include Low Impact Development Strategies (LID), potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment would not result in an increased demand for water resources, and does not include any changes that are inconsistent with the County Code and General Plan related to hydrology and water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including quantification of water demand and assessment of potential water quality impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. Implementation of the project includes the construction of additional impervious surfaces, and would have a localized effect on existing rates and direction of surface runoff (refer to WR Impact 3, which addresses the impact related to generation of runoff). The design of the project incorporates LID strategies, and compliance with existing regulations related to drainage is required. Please refer to pages 4.10-1 through 4.10-13 of the Final EIR.</p>

100-year flood zone	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p>

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	<p>Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address review project-specific LID strategies and compliance with the current Stormwater Management Program upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the Preliminary Bridge Analysis Nipomo Creek Crossing at the Dana Adobe (kvc 2011), construction of the bridge over Nipomo Creek would not impede flood waters or change surface water elevation downstream of the crossing. Therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment does not include any changes that are inconsistent with the County Code and General Plan related to hydrology, water resources, and flood hazard designations and standards. Any future development of the site would be required to comply with existing flood hazard ordinances and standards. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including an assessment of potential flood hazards. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. The FEMA Flood Hazard follows the Nipomo, Carillo, and Adobe Creeks through the project site. The 100-year flood elevation of Nipomo Creek varies from 250 to 263 feet. Uses within the flood hazard zone would include the emergency access road bridge crossing over Nipomo Creek, and an approximately 800-foot portion of the interpretive path loop. All other uses and structures would be outside of the flood zone. Floodwaters would be able to freely flow over the path. Based on the Preliminary Bridge Analysis Nipomo Creek Crossing at the Dana Adobe (kvc 2011), the deck of the bridge would be constructed at elevation 264 feet, and the "lowest" portion of the bridge would be at elevation 261.5 feet, which would allow for a 1-foot clearance between the water surface through the bridge and the low chord of the bridge during a 100-year flood. There would be a 3.5-foot clearance between the deck of the bridge and the 100-year flood elevation (kvc 2011). Based on the flood analysis and associated modeling, there would be no change in surface water elevation downstream of the proposed bridge. About 260 feet upstream of the bridge there would be an increase in the water surface of 0.35 feet (within the project site). This increase would be "damped out" before reaching the upstream property line and will not impact other properties. The Preliminary Bridge Analysis recommends a final analysis of the bridge design, based on construction-level detail, to ensure the bridge is designed to avoid potential flooding impacts, consistent with existing LUO and Building Codes. Please refer to pages 4.10-1 through 4.10-14 of the Final EIR.</p>

Change in quantity/movement of surface or ground water	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address review project-specific LID strategies and compliance with the current Stormwater Management Program upon review of a land use permit application.</p>

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	<p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The proposed project would not include any features that would have an adverse effect on the quantity or movement of surface water with Nipomo Creek and its tributaries. Based on the estimated water demand (1.28 afy), the project would not have a direct adverse effect on the quantity or movement of groundwater within the Santa Maria Groundwater Basin. Therefore, potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment would not result in an increased demand for water resources, and does not include any changes that are inconsistent with the County Code and General Plan related to hydrology and water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including quantification of water demand and assessment of potential water quality impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. The proposed bridge would not impede floodwaters, and restoration projects would improve water quality and habitat. On the 100-acre portion of the project site, existing on-site wells would be used for proposed creek restoration activities, and proposed and ongoing restoration conducted by the County and the Land Conservancy of San Luis Obispo County. These wells will also be available for agricultural uses on this portion of the site. These restoration actions, including riparian and other vegetation plantings, are not anticipated to require a substantial amount of groundwater beyond existing and historical conditions once they are established. Based on the project's anticipated demand, proposed implementation of water conservation measures consistent with the LUO and Plumbing Code, and review and approval by the NCSD, implementation of the project would not result in significant water supply impacts. The project also would not remove a barrier for development or result in a significant impact to water available for agricultural use, because the existing wells on the 100-acre portion of the site would only be used for continued and proposed restoration and agricultural use. Please refer to pages 4.10-1 through 4.10-15 of the Final EIR.</p>

Adversely affect community water service provider	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. The LUO Amendment would not result in a change in land use category or increase the development potential of the project site. The amendment would not result in an increased demand for water resources.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the project's anticipated demand, proposed implementation of water conservation measures consistent with the LUO, and review and</p>

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	approval by the NCSD, potential impacts to the NCSD would be less than significant (Class III).
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment would not result in an increased demand for water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including quantification of water demand and assessment of potential water quality impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. The proposed project (30-acre portion) would be served by the NCSD. Total water consumption within NCSD and outside service boundaries averaged 2,646 afy between fiscal year 2005 to 2009. Estimated demand (based on build-out) within the existing service area is 4,139 afy (NCSD 2011). The estimated water use would be 1.28 afy for operation of the project on the 30 acre portion of the project site, including the caretaker's unit, visitor center/museum, staff offices, restrooms, catering kitchen, and drought-tolerant landscaping. The water demand would be 1.28 afy. The NCSD reviewed the water use projection and determined that the project would require an equivalent amount of water as currently permitted by the NCSD's Water Service Limitations if the parcels were developed as residential. If the site were developed with residential uses, two primary dwellings (0.40 and 0.82 afy) and one secondary dwelling (0.08 afy) would be allowed (two parcels, 30 acres total), resulting in a total water demand of 1.30 afy. Therefore, the project would not increase non-agricultural water demand more than the amount otherwise available based on the land uses possible under the County General Plan. The NCSD notes that the project includes elements of water conservation education that would complement the NCSD's conservation efforts (NCSD 2011). Please refer to pages 4.10-1 through 4.10-15 of the Final EIR.</p>

Exposure to flooding or inundation	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of features associated with the project, the potential for loss, injury, or death as a result of flooding would be low, and potential impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment does not include any changes that are inconsistent with the County Code and General Plan related to hydrology, water resources, and flood hazard designations and standards. Any future development of the site would be required to comply with existing flood hazard ordinances and standards. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including an assessment of potential flood hazards. In order to ensure that future</p>

	<p>projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. The project site is not located in an area at risk for tsunami or seiche. Portions of the site are at risk from flooding associated with Nipomo, Carillo, and Adobe Creeks. No habitable structures would be located within the 100-year flood zone and the emergency access road bridge would be constructed above the flood elevation to allow for emergency evacuation. Please refer to pages 4.10-1 through 4.10-16 of the Final EIR.</p>
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6.13 LAND USE (CLASS III)

Land use compatibility	
Mitigation	No mitigation measures are necessary.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, this less than significant impact would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will review project-specific land use compatibility issues including aesthetics, air quality, noise, and transportation and circulation upon review of a land use permit application.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location and design of the proposed project, and incorporation of resource specific mitigation measures, potential land use compatibility impacts would be less than significant (Class III).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendments include clarifications to the permitting process for the site, identified in §22.112.080.G.2. The revised language clarifies that future non-residential and non-agricultural development of the site shall be consistent with an approved Master Plan, and a CUP will be required for approval of the Master Plan and any subsequent major changes. The amended language also clarifies that minor amendments to the Master Plan shall be approved pursuant to permit requirements identified in the LUO. The CUP shall identify the areas proposed for development, and an architectural style compatible with the Dana Adobe and associated interpretation and educational components. These proposed changes modernize the LUO language by considering existing conditions, and providing process for future approvals. Implementation of the amendment would not have an adverse effect on land use, or be inconsistent with applicable plans and policies. In addition, the identified planning area standards address specific environmental issue areas, including air quality, biological resources, cultural resources, geology and soils, noise, transportation and circulation, and water resources. These standards are included to ensure these issues are addressed prior to future development of the site. In this case, the applicant currently has a proposed project and CUP application under consideration in this EIR. Please refer to pages 4.11-1 through 4.11-5 of the Final EIR.</p> <p>Conditional Use Permit. The project site is on the edge of the community of Nipomo, and surrounding land is developed by residential and agricultural uses. The project would enhance existing educational and historic opportunities at the project site and would be consistent with agricultural uses onsite (100 acres to the east) and adjacent uses. Potential land use conflicts include generation of noise during special events, as discussed above. Based on analysis of noise impacts (refer to Final EIR Section 4.7, Noise), mitigation can be incorporated to reduce sound levels below County thresholds. Potential land use</p>

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	compatibility impacts may occur as a result of periodic traffic increases during special events; however, this impact would be short-term and less than significant due to the limited frequency and timeframe of localized peak traffic prior to and following each large event. The project includes onsite parking, including a main parking area and overflow parking. Please refer to Table 3.1 Consistency with Plans and Policies, and pages 4.11-1 through 4.11-6 of the Final EIR.
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7.0 FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGABLE

Pursuant to §15091(a)(1) of the CEQA Guidelines, the Board of Supervisors finds that, for each of the following significant effects as identified in the Final EIR, changes or alterations (mitigation measures) have been required in, or incorporated into, the project which avoid or substantially lessen each of the significant environmental effects as identified in the Final EIR. The significant effects (impacts) and mitigation measures are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

7.1 AESTHETIC RESOURCES (CLASS II)

AES Impact 1	
Proposed development could create an aesthetically incompatible land use in the rural suburban/agricultural area, resulting in a significant, long-term impact.	
Mitigation	AES/mm-1 Upon application for construction permits on the 30-acre site, the applicant shall provide a colors and materials board for review and approval by the County Department of Planning and Building. Selected colors shall be dark, earth-toned, and selected to blend in with the natural surrounding vegetation. Selected materials shall primarily be natural-appearing and consistent with the historical adobe and agricultural setting, such as wood, adobe, and stone (or similar compatible materials). Approved colors and materials shall be shown on the project plans. The Department of Planning and Building will verify compliance prior to final inspections.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, AES Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure AES/mm-1 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific aesthetic and historical context impacts upon review of a land use permit application. AES/mm-1 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The project includes design features that are generally compatible with the visual character of the area, and historical context of the site. More modernized components, such as the Visitor's Center and parking area, would be generally shielded from views along U.S. 101, and mitigation is identified, which requires the use of colors and materials that would be visually compatible with the surrounding landscape and Dana Adobe. After implementation of the mitigation measure, the proposed project impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	Land Use Ordinance Amendment. The proposed LUO Amendment would modify §22.112.080(G) South County, Recreation land use category, Dana Adobe, development standards. The modified language deletes a requirement that residential and non-residential uses shall be located "to minimize their appearance from the adobe." Proposed language would encourage "interpretation of the site's resources" and use of landscaping to buffer views "between the adobe and support buildings and project infrastructure such as parking lots". Implementation of the amendment would retain the historical context of the Dana Adobe, including views from public roads and the adobe site itself. These standards would

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	<p>apply to land use permit requests considered upon approval of the LUO Amendment, such as the CUP request analyzed in the Final EIR. Please refer to pages 4.1-1 through 4.1-2 of the Final EIR.</p> <p>Conditional Use Permit. Proposed development would be primarily visible from South Oakglen Avenue, a local road serving the existing Dana Adobe and surrounding residences and agricultural uses. The development would also be visible from South Thompson Road. Existing mature trees would generally block views of the development from US 101. Proposed development would create new structural components open to public view in the predominantly agricultural project area, which could create incompatible views unless appropriate design measures are implemented. With implementation of mitigation, the proposed uses would be generally aesthetically compatible with surrounding uses, and would not change the rural/urban fringe character of the area, as seen from public roadways. Proposed architectural elements would be generally consistent with the historical context of the Dana Adobe, while maintaining a clear distinction between the modern structures and adobe. Use of exterior colors and materials consistent with the surrounding landscape would further enhance visual compatibility. Parking areas would be located adjacent to South Oakglen Avenue, a dead-end road, and would generally be shielded from views along US 101. The proposed secondary access road would generally be screened from view by existing topography and vegetation. Please refer to pages 4.1-1 through 4.1-3 of the Final EIR.</p>
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AES Impact 2	
Visibility of night lighting would affect views resulting in a significant, long-term impact.	
Mitigation	<p>AES/mm-2 Upon application for construction permits on the 30-acre site, the applicant shall submit an exterior lighting plan to the County Department of Planning and Building for review and approval. The plan shall provide graphic details for all proposed permanent and temporary (i.e., special event) exterior lighting fixtures. Exterior lighting fixtures shall be “dark sky” certified or equivalent. Fixtures must be dark-colored and designed such that the bulb and reflective surfaces are obscured from off-site view.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, AES Impact 2 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure AES/mm-2 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific aesthetic and historical context impacts upon review of a land use permit application. AES/mm-2 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Implementation of mitigation will not eliminate the presence of additional light, but would reduce the intensity of the lighting and minimize visibility as seen from public roads. The identified measure would also reduce adverse effects to the night sky by directing light towards the ground. Based on incorporation of mitigation measures identified above, proposed project impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO Amendment would modify §22.112.080(G) South County, Recreation land use category, Dana Adobe, development standards. The modified language deletes a requirement that residential and non-residential uses shall be located “to minimize their appearance from the adobe.” Proposed language</p>

AES Impact 2	
	<p>would encourage “interpretation of the site’s resources” and use of landscaping to buffer views “between the adobe and support buildings and project infrastructure such as parking lots”. Implementation of the amendment would retain the historical context of the Dana Adobe, including views from public roads and the adobe site itself. These standards would apply to land use permit requests considered upon approval of the LUO Amendment, such as the CUP request analyzed in the Final EIR, in addition to compliance with Exterior Lighting regulations currently identified in the LUO. Please refer to pages 4.1-1 through 4.1-2 of the Final EIR.</p> <p>Conditional Use Permit. The proposed use includes special events, which may be held during nighttime hours. Exterior lighting within the Rancho Era, visitor center, Chumash Interpretive Area, and associated parking areas may be visible from US 101 and other local surrounding roadways, and would create glare in the immediate area, affecting dark night skies. Mitigation is identified that would shield light sources and direct light towards the ground. Please refer to pages 4.1-1 through 4.4-1 of the Final EIR.</p>

7.2 AIR QUALITY (CLASS II)

AQ Impact 1	
<p>In the event construction activities occur over a quarter (over 90 days), use of construction equipment would generate reactive organic gases (ROG) and nitrates of oxygen (NO_x) exceeding the 2.5 tons/quarter threshold (Quarterly Tier 1), resulting in a significant, short-term impact.</p>	
Mitigation	<p>AQ/mm-1 Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:</p> <p>Construction Equipment</p> <ol style="list-style-type: none"> Maintain all construction equipment in proper tune according to manufacturer’s specifications; Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); Maximize to the extent feasible, the use of diesel construction equipment meeting the CARB’s Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation; Use on-road heavy-duty trucks that meet the CARB’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation; Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance; All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit; Diesel idling within 1,000 feet of sensitive receptors is not permitted; Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors; Electrify equipment when feasible; Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and, Use alternatively fueled construction equipment on-site where feasible, such as

AQ Impact 1	
	<p>compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.</p> <p>Best Available Control Technology</p> <ul style="list-style-type: none"> l. Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines; m. Repowering equipment with the cleanest engines available; and, n. Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, AQ Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure AQ/mm-1 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application. AQ/mm-1 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The project will generate emissions during grading and construction activities, including the ROG and NO_x. Standard Mitigation Measures and BACT measures identified in the SLOAPCD CEQA Handbook (2012) will be applied, which would mitigate the level of emissions below significance thresholds. Therefore, proposed project impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. As proposed, the project would result in the disturbance of approximately 8.3 acres. Disturbance would occur in phases, as development can be funded and implemented. While the timing of development phases is currently unknown, a reasonable "worst-case scenario" for construction-related air emissions was generated using CalEEMod (including daily, quarterly, and annual emissions). Table 4.2-4 Construction Emissions (Unmitigated) in the Final EIR (page 4.2-15) shows that construction of the project would not exceed ROG and NO_x daily thresholds, but would exceed quarterly Tier 1 thresholds, if construction occurs over a quarter (90 days). Construction would not exceed Tier 2 thresholds (6.3 tons). Based on implementation of Standard Mitigation Measures, quarterly ROG and NO_x emissions would be reduced to 0.02 tons and no additional mitigation is necessary (refer to Table 4.2-5 Construction Emissions [Mitigated] in the Final EIR [page 4.2-16]). Please refer to pages 4.2-1 through 4.2-17 of the Final EIR.</p>

AQ Impact 2	
Site preparation, ground disturbance, grading, and construction activities would result in the generation of fugitive dust (PM ₁₀), potentially creating a nuisance and exacerbating the current non-attainment status for PM ₁₀ , resulting in a significant, short-term impact.	
Mitigation	<p>AQ/mm-2 Upon application for construction permits, all required PM10 measures shall be shown on applicable grading or construction plans, and made applicable during grading and construction activities as described below.</p> <ol style="list-style-type: none"> Reduce the amount of the disturbed area where possible; Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph); Reclaimed (non-potable) water should be used whenever possible; All dirt stock pile areas should be sprayed daily as needed; Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities; Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established; All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD; All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used; Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site; All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code §23114; Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and, Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. <p>All of these fugitive dust mitigation measures shall be shown on grading, construction and building plans; and the contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust off-site. Their duties shall include monitoring the effectiveness of the required dust control measures (as conditions dictate), and shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, AQ Impact 2 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure AQ/mm-2 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application. AQ/mm-2 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p>

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AQ Impact 2	
	<p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The project will generate emissions during grading and construction activities, including the creation of fugitive dust. Standard Mitigation Measures identified in the SLOAPCD CEQA Handbook (2012) will be applied, which would mitigate the potential for a fugitive dust nuisance and contribution to the County's non-attainment status. Therefore, the proposed project impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. As proposed, the project would result in the disturbance of approximately 8.3 acres. Disturbance would occur in phases, as development can be funded and implemented. While the timing of development phases is currently unknown, a reasonable "worst-case scenario" for construction-related air emissions was generated using CalEEMod (including daily, quarterly, and annual emissions). Table 4.2-4 Construction Emissions (Unmitigated) in the Final EIR (page 4.2-15) shows that construction of the project would not exceed quarterly thresholds for fugitive dust (PM₁₀); however, site disturbance would exceed 4.0 acres within an area designated as non-attainment for fugitive dust. Therefore, in order to prevent a dust nuisance and contribute to fugitive dust generation, standard mitigation will be implemented. Please refer to pages 4.2-1 through 4.2-19 of the Final EIR.</p>

AQ Impact 3	
<p>In the event construction activities occur over a quarter (over 90 days), use of equipment would result in diesel particulate matter (DPM) emissions exceeding quarterly (Tier 1) (0.13 tons/quarter) thresholds, and would potentially affect residents within 1,000 feet of the site, resulting in a significant, short-term impact.</p>	
Mitigation	Implement AQ/mm-1.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, AQ Impact 3 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure AQ/mm-1 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application. AQ/mm-1 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092</p>

AQ Impact 3	
	<p>(Approval).</p> <p>Conditional Use Permit. The project will generate emissions during grading and construction activities, including the DPM. Standard Mitigation Measures and BACT measures identified in the SLOAPCD CEQA Handbook (2012) are required. After implementation of the mitigation measure, the proposed project impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. As proposed, the project would result in the disturbance of approximately 8.3 acres. Disturbance would occur in phases, as development can be funded and implemented. While the timing of development phases is currently unknown, a reasonable "worst-case scenario" for construction-related air emissions was generated using CalEEMod (including daily, quarterly, and annual emissions). In the event construction activities occur over a quarter (90 days), the project would exceed quarterly Tier 1 DPM thresholds (0.13 tons), as shown in Table 4.2-4 Construction Emissions (Unmitigated) in the Final EIR (page 4.2-15). Mitigation is required, including Standard Mitigation Measures and BACT. In addition, the project is located within 1,000 feet of potentially sensitive receptors (residences), who may be adversely affected by exposure to DPM emitted by idling construction equipment. As shown in Table 4.2-5 Construction Emissions (Mitigated) in the Final EIR (page 4.2-16), mitigation would reduce potential impacts below the identified threshold. Please refer to pages 4.2-1 through 4.2-19 of the Final EIR.</p>

AQ Impact 4	
<p>Operation of the project would result in the generation of fugitive dust (PM₁₀) exceeding daily thresholds (25 lbs/day), resulting in a significant, short-term and long-term impact during use of unpaved parking areas and the arena.</p>	
Mitigation	<p>AQ/mm-3 The following mitigation is required on the day(s) of the special event, when use of unpaved overflow parking areas will occur:</p> <ol style="list-style-type: none"> The unpaved parking area shall be treated with a dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit (see Technical Appendix 4.3 of the SLOAPCD CEQA Handbook); Any unpaved roads/driveways that will be used for the special event shall be maintained with an APCD-approved dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit; and The applicant may propose alternative measures of equal effectiveness by contacting the APCD Planning Division. <p>AQ/mm-4 To minimize nuisance impacts and to reduce fugitive dust emissions from the arena for the life of the project the following mitigation measures shall be incorporated into the project, and are applicable to the demonstration arena:</p> <ol style="list-style-type: none"> Reduce the amount of the disturbed area where possible; Use water trucks or sprinkler systems in sufficient quantities to prevent airborne

AQ Impact 4	
	<p>dust from leaving the site. Increased watering frequency whenever wind speeds exceed 15 mph;</p> <ul style="list-style-type: none"> c. Reclaimed (non-potable) water shall be used whenever possible; d. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities; e. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the Air District; and f. A person or persons shall be designated to monitor for dust and implement additional control measures as necessary to prevent transport of dust offsite. The monitor's duties shall include holidays and weekend. The name and telephone number of such persons shall be provided to the Air District prior to operation of the arena.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, AQ Impact 4 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure AQ/mm-3 and AQ/mm-4 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application. AQ/mm-3 and AQ/mm-4 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Use of unpaved areas for parking and the arena would generate fugitive dust. Standard Mitigation Measures identified in the SLO APCD CEQA Handbook (2012) are required. After implementation of the mitigation measure, the proposed project impacts would be less than significant (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. Based on the traffic report conducted for the project, which considered a "worst case scenario," the average additional daily trips generated by the project would be 38 during the week days (Monday through Friday), and approximately 20 trips on weekend days (Rick Engineering 2012). Special events would generate an additional 66 trips on weekdays and 18 trips on the weekends. Operational emissions that would result from the proposed project were calculated using CalEEMod, pursuant to the CEQA Handbook (2012), before and after application of standard mitigation. Please refer to Table 4.2-6 Operational Emissions (Unmitigated) and Table 4.2-7 Operational Emissions (Mitigated) on page 4.2-20 of the Final EIR. Operation of the project includes the use of an unpaved parking area (arena) during special events, and an unpaved parking area for equestrian trailer (approximately 20,620 square feet). The main parking area would be paved, and the primary overflow parking area would have a gravel base. Use of the arena and equestrian parking area would generate fugitive dust, and would exceed the daily</p>

Attachment C - Exhibit LRP2011-00001C (Findings)

AQ Impact 4	
	threshold when in use. The APCD has developed mitigation measures specific to road dust and for the use of overflow parking during special events, which would reduce this impact to less than significant. Please refer to pages 4.2-1 through 4.2-21 of the Final EIR.

AQ Impact 5	
In the event construction of the project requires remodeling or demolition of structures, utilities, or pipelines, asbestos-containing material may occur, resulting in a significant, short-term impact.	
Mitigation	<p>AQ/mm-5 Proposed demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, AQ Impact 5 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure AQ/mm-5 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application. AQ/mm-5 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Standard mitigation is required, including compliance with SLOAPCD demolition standards. Based on implementation of standard mitigation identified above, potential impacts related to exposure to asbestos-containing materials would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines. If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including</p>

Attachment C - Exhibit LRP2011-00001C (Findings)

AQ Impact 5	
	the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 Code of Federal Regulations [CFR] 61, Subpart M – Asbestos, National Emission Standards for Hazardous Air Pollutants [NESHAPs]). These requirements include but are not limited to: 1) notification to the APCD, 2) an asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please refer to pages 4.2-1 through 4.2-23 of the Final EIR.

AQ Impact 6	
Grading and ground disturbance within the 100-acre portion of the project site may result in exposure to naturally-occurring asbestos, resulting in a significant, short-term impact.	
Mitigation	<p>AQ/mm-6 Prior to issuance of grading permit, the applicant shall submit a geologic evaluation of naturally occurring asbestos on the 100-acre portion of the project site to the APCD. If naturally occurring asbestos is present onsite, the applicant shall comply with all requirements outlined in the Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan that shall be approved by the APCD prior to construction, and 2) an Asbestos Health and Safety Program. Prior to development on the 30-acre portion of the site, the applicant shall submit a Naturally Occurring Asbestos Construction and Grading Permit Exemption Request Form to the APCD. If the applicant has any questions regarding these requirements, they shall contact the APCD.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, AQ Impact 6 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure AQ/mm-6 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific air quality impacts upon review of a land use permit application. AQ/mm-6 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Standard mitigation is required, including compliance with existing SLOAPCD standards. Based on implementation of standard mitigation identified above, potential impacts related to exposure to asbestos-containing materials would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions, which are addressed in the analysis of the CUP. The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted Clean Air Plan. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, the identified planning area standard would require the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project. Please refer to pages 4.2-1 through 4.2-14 of the Final EIR.</p> <p>Conditional Use Permit. Naturally Occurring Asbestos (NOA) has been identified as a toxic</p>

AQ Impact 6	
	<p>air contaminant by CARB. Under the CARB Airborne Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Based on Technical Appendix 4.4 of the SLOAPCD's CEQA Handbook, the project site is within a location of potentially occurring NOA, and standard mitigation would apply. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to: development of an Asbestos Dust Mitigation Plan which must be approved by the APCD before operations begin, and development and approval of an Asbestos Health and Safety Program. If NOA is not present, an exemption request must be filed with the APCD. Based on review of the Soils Engineering Report (GeoSolutions 2011), the 30-acre portion of the site does not include serpentine, ultramafic, or Franciscan soils, which are known to contain NOA. Please refer to pages 4.2-1 through 4.2-24 of the Final EIR.</p>

7.3 BIOLOGICAL RESOURCES (CLASS II)

BIO Impact 1	
Construction of the project would directly and/or indirectly affect special status species, including terrestrial, aquatic, and avian species, resulting in a significant, short-term impact.	
Mitigation	<p>BIO/mm-1 Prior to grading and construction within 100 feet of Nipomo Creek, Adobe Creek, or Carillo Creek, a qualified biologist shall conduct pre-construction surveys for sensitive amphibian and reptile species within all portions of the project site containing suitable habitat. The surveys shall include at least two nighttime surveys and one daytime survey immediately preceding construction. If any sensitive species are detected, the following actions shall occur:</p> <ol style="list-style-type: none"> Any detected adults will be relocated to a nearby suitable aquatic habitat. The location shall be in suitable habitat not subject to disturbance or known threats to the species. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the existing riparian corridor. Sensitive species, such as California red-legged frog, will only be moved if prior approval has been granted by the USFWS (see d below). A qualified biological monitor will be present during any clearing, grading, or creek activities. Additionally, a qualified biological monitor will be on-site during construction activities to ensure no sensitive species have entered the work area overnight or throughout the day (i.e., they will conduct a morning clearance survey and regular daily checks of the work areas). The work areas will be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathe and flagging, t-posts and yellow ropes, and temporary signage). The qualified biologist will receive project-specific approvals from resource agencies prior to handling any wildlife species, especially any sensitive species. Speed limits shall be restricted to 15 mph. Work will occur only during daylight hours. <p>BIO/mm-2 Upon application for construction permits, the following measures shall be included on applicable plans in order to avoid erosion and sedimentation impacts to the creeks and water quality:</p>

BIO Impact 1	
	<ul style="list-style-type: none"> a. Construction should be limited to the typical dry season (April 15 to October 15). b. If work must occur during the rainy season, the applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden run-off from entering Nipomo Creek. c. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's re-vegetation plan. <p>BIO/mm-3 A qualified biologist shall conduct a pre-construction survey within 30 days prior to the onset of construction activities within all potentially impacted areas of suitable badger habitat (grasslands and agricultural fields). If badger dens are discovered, they will be inspected to determine if they are currently occupied. If dens are discovered and are inactive, they will be excavated to prevent re-occupation prior to construction. If badgers are found during their breeding and rearing season (February to July), these dens shall be avoided with an appropriate buffer to protect them from construction activities. If badgers are found outside of their breeding period, CDFW will be contacted regarding the accepted approach to exclude and excavate the den prior to equipment and other ground disturbing activity on the site.</p> <p>BIO/mm-4 All work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. The pre-construction bird surveys shall be conducted within 250 feet of any proposed construction activity within both the 30-acre and 100-acre areas. The surveys shall be conducted no more than 1 week prior to the scheduled onset of construction activities.</p> <p>If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the USFWS and/or CDFW will be contacted to determine the appropriate protective measures prior to any construction beginning.</p> <p>If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, BIO Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures BIO/mm-1, BIO/mm-2, BIO/mm-3, and BIO/mm-4 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific biological resource impacts upon review of a land use permit application. BIO/mm-1, BIO/mm-2, BIO/mm-3, and BIO/mm-4 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact</p>

BIO Impact 1	
	<p>Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the results of the biological surveys conducted for the project, mitigation was identified to ensure that no special-status species are present prior to construction. Mitigation measures include procedures for species identification and protection. Based on incorporation of mitigation measures identified above, potential impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to biological resources. Any future development of the site may have adverse effects on special status species and habitats, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of impacts to biological resources. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific biological resource impacts, the identified planning area standard would require the project applicant to avoid or minimize impacts to special status species and sensitive habits, and implement measures such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies. Please refer to pages 4.3-1 through 4.3-10 of the Final EIR.</p> <p>Conditional Use Permit. One sensitive species, white-tailed kite, was documented as occurring on or near the proposed project site. There is the potential for 13 additional sensitive wildlife species and/or nesting birds to occur at the project site. The proposed project could result in direct impacts to American badger, pallid bat, California red-legged frogs, coast range newts, southern Pacific pond turtles, coast horned lizards, two-striped garter snakes, and silvery legless lizards if present during clearing and grading activities. Likewise, elevated noise levels, increased traffic and human activity, and construction-related disturbance (e.g., erosion and sedimentation into the riparian corridor) associated with implementation of the proposed project could result in indirect impacts to these species if they are present during construction. The proposed project has the potential to impact sensitive birds and migratory nesting birds if construction activities occur during the nesting season (approximately February 1 through August 15). Activities associated with the proposed project (e.g., ground disturbance and vegetation removal) could impact nesting birds if their nests are located within or near the work area. Likewise, increased human activity and traffic, elevated noise levels, and operation of machinery could also impact nesting birds if nests are located within the vicinity of the project area. Mitigation is identified that would include pre-construction surveys, protection measures, and monitoring to ensure that no special-status species are adversely affected. In the long-term, the project includes restoration actions and educational/interpretive features, which would have a beneficial effect on special-status species and their habitat. Please refer to pages 4.3-1 through 4.3-13 of the Final EIR.</p>

BIO Impact 2	
<p>Project construction activities have the potential to result in indirect impacts to eight mature coast live oak trees, resulting in a significant, short-term and long-term impact.</p>	
Mitigation	<p>BIO/mm-5 All existing oak trees to remain on-site that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy half the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1.5 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls</p>

BIO Impact 2	
	<p>may be constructed to minimize cut and fill impacts to existing oak trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.</p> <p>BIO/mm-6 All oak trees identified to remain shall not be removed, unless otherwise regulated by County LUO §22.56.020.A.4 (Tree Removal Permit Required, Zoning Clearance Exemption for trees in a hazardous condition). Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees:</p> <ul style="list-style-type: none"> a. year-round irrigation (no summer watering, unless “establishing” new tree or native compatible plant(s) for up to 3 years); b. grading (includes cutting and filling of material); c. compaction (e.g., regular use of vehicles); d. placement of impermeable surfaces (e.g., pavement); or, e. disturbance of soil that impacts roots (e.g., tilling). <p>BIO/mm-7 The trimming of oaks can be detrimental and shall be minimized as follows:</p> <ul style="list-style-type: none"> a. removal of larger lower branches should be minimized to: <ul style="list-style-type: none"> i. avoid making tree top heavy and more susceptible to “blow-overs;” ii. reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation; iii. retain the wildlife that is found only in the lower branches; iv. retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers); and, v. retain the natural shape of the tree. b. The amount of trimming (roots or canopy) done in any one season should be limited as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). c. Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant shall either use a skilled arborist or apply accepted arborist’s techniques when removing limbs. d. Unless a hazardous or unsafe situation exists, trimming of deciduous species shall be done only during the winter. e. Smaller oak trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees. <p>BIO/mm-8 Newly planted oak trees shall be maintained until successfully established as determined by a qualified professional. This shall include protection (e.g., tree shelters, caging) from animals (e.g., deer, rodents) and adequate watering (e.g., drip-irrigation system). During the timeframe when the oaks are being established on the 30-acre area, weed removal shall occur as follows:</p> <ul style="list-style-type: none"> a. installation of either 1) a securely staked “weed mat” (covering at least a 3-foot radius from center of plant), or 2) hand removal of weeds (covering at least a 3-foot radius from center of plant) and use of weed-free mulch (at least 3 inches deep, 3-foot radius) with regular replenishment, shall be completed for each new plant. If the hand removal weeding option is selected it shall be kept up on a regular basis (at least once in late spring [April] and once in early winter [December]). b. Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a 3-year period. c. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets,

BIO Impact 2	
	<p>initial deep watering) shall be used.</p> <p>Once oak trees have been planted and prior to final inspection of building permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted and all measures implemented to improve the long-term success of these trees. This letter shall be submitted to the County Environmental Coordinator.</p> <p>To guarantee the success of the new oak trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than 7 years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator 1 year after the initial planting and, thereafter, on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than 7 years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, BIO Impact 2 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures BIO/mm-5, BIO/mm-6, BIO/mm-7, and BIO/mm-8 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific biological resource impacts upon review of a land use permit application. BIO/mm-5, BIO/mm-6, BIO/mm-7, and BIO/mm-8 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Implementation of the project would not require the removal of any native or important vegetation, including oak trees. The proposed landscape plan includes oak trees and native vegetation, consistent with the landscape. Identified mitigation includes protection measures to avoid inadvertent impacts during construction and maintenance of oak trees to be planted. Therefore, potential impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to biological resources. Any future development of the site may have adverse effects on special status species and habitats, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of impacts to biological resources. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific biological resource impacts, the identified planning area standard would require the project applicant to avoid or minimize impacts to special status species and sensitive habits, and implement measures such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies. Please refer to pages 4.3-1 through 4.3-10 of the Final EIR.</p>

BIO Impact 2	
	<p>Conditional Use Permit. The applicant proposes to remove one mature locust tree; all other trees, including sycamore, cypress, and coast live oak, would remain onsite. Eight coast live oak trees are located in close proximity to the proposed Chumash interpretive area within the 30-acre portion of the project site. Actions potentially within the dripline of mature oak trees include ground disturbance and construction of a pedestrian path and low stone wall. The County's standard mitigation ratio for impacts to mature oak trees is 2:1. The proposed landscape plan includes the planting of 23 5-gallon coast live oak trees onsite, which would mitigate any impacts resulting from potential disturbance of existing oak trees, and would exceed the standard 2:1 replacement ratio. In the long-term, implementation of the project would not adversely affect Land Conservancy and County restoration efforts. Existing agricultural roads, and the proposed emergency access drive and trails on the 100-acre portion of the site were designed in consultation with the County to ensure existing and future restoration and mitigation efforts would not be adversely affected. Please refer to pages 4.3-1 through 4.3-16 of the Final EIR.</p>

BIO Impact 3	
Development of the emergency access road and bridge over Nipomo Creek would result in disturbance of riparian habitat and/or wetland areas adjacent to the creek, resulting in significant short- and long-term impacts.	
Mitigation	<p>BIO/mm-9 Upon application for construction permits for the emergency access drive, the following measures shall be incorporated into project plans:</p> <ol style="list-style-type: none"> Disturbance shall be minimized to what is necessary to safely install the emergency access bridge over Nipomo Creek. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the creek and impacts to sensitive habitat. Appropriate permanent sedimentation and erosion control structures shall be included in the bridge design in order to minimize long-term impacts associated with vehicular traffic near the creek (e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces). The applicant shall restore and revegetate any disturbed areas along the access bridge in order to stabilize the streambank. <p>BIO/mm-10 Prior to work within creek channels, the applicant shall coordinate with the appropriate regulatory agencies in order to obtain permits prior to the start of construction. These agencies are likely to include: USACE, USFWS, CDFW, and RWQCB.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, BIO Impact 3 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures BIO/mm-9 and BIO/mm-10 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific biological resource impacts upon review of a land use permit application. BIO/mm-9 and BIO/mm-10 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092</p>

BIO Impact 3	
	<p>(Approval).</p> <p>Conditional Use Permit. The proposed project includes actions within and adjacent to wetland and riparian habitat. The site proposed for the bridge crossing, and trail pedestrian bridges, would avoid disturbance within the bed and bank of the creeks, and vegetation removal to the maximum extent feasible while achieving the crossing. Based on incorporation of identified mitigation, potential impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to biological resources. Any future development of the site may have adverse effects on special status species and habitats, depending on the location and type of development, including construction of an emergency access drive across Nipomo Creek (refer to CUP discussion below). Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of impacts to biological resources. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific biological resource impacts, the identified planning area standard would require the project applicant to avoid or minimize impacts to special status species and sensitive habits, and implement measures such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies. Please refer to pages 4.3-1 through 4.3-10 of the Final EIR.</p> <p>Conditional Use Permit. The proposed project will result in disturbance to a small portion of Nipomo Creek, where the bridge will be constructed along the emergency access drive. The proposed bridge design would minimize impacts to riparian habitat and wetlands by utilizing a railroad flatcar that would span the creek and avoid the need for construction activities within the creek channel. The location of the crossing would not require riparian vegetation removal; however trimming may be necessary. Grading and construction activities may result in sedimentation and run-off into Nipomo Creek. The western bank of Nipomo Creek at this location may be permanently impacted by installation of rip rap or other dissipation measures. This dissipation may be needed in order to avoid erosion to the western bank where Carillo Creek enters Nipomo Creek. The project includes a 0.36-acre riparian restoration effort being implemented in conjunction with the County and Land Conservancy of San Luis Obispo County. The actions proposed to resolve the headcut on Carillo Creek will improve the adjacent habitat communities and reduce erosion and sedimentation into Nipomo Creek, which would have a beneficial effect on wetland and riparian habitat. Please refer to pages 4.3-1 through 4.3-17 of the Final EIR.</p>

7.4 CULTURAL RESOURCES (CLASS II)

CR Impact 1	
<p>Proposed grading activities would impact portions of site CA-SLO-97/142/H determined to be eligible for inclusion on the California Register of Historic Places under criterion D: "sites that have yielded, or may be likely to yield, information important in prehistory or history." This would result in a significant, long-term impact.</p>	
Mitigation	<p>CR/mm-1 Prior to issuance of grading and construction permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (Albion Environmental, July 2013). The Phase III program shall include at least the following:</p> <ul style="list-style-type: none"> a. three control units in Locus A and two control units in Locus B pursuant to the

CR Impact 1	
	<p>Phase II Archaeological Evaluation of CA-SLO-97/142/H (Albion Environmental, July 2013);</p> <ul style="list-style-type: none"> b. standard archaeological data recovery practices; c. recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. Sample size should be 0.01% of the total volume (disturbed and non-disturbed matrix) in Locus A and 0.05% of the total volume (disturbed and non-disturbed matrix) in Locus B. The sample size shall include 0.04% of the volume of undisturbed site deposit in Locus A and 0.05% of the volume of undisturbed site deposit in Locus B. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size. d. identification of location of sample sites/test units; e. detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected); f. disposition of collected materials; g. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results; and, h. list of personnel involved in sampling and analysis. <p>Once approved, these measures shall be shown on all applicable construction drawings and implemented during construction. Prior to final inspection/occupancy, the applicant shall provide to the County a final report on the investigation work conducted during construction.</p> <p>CR/mm-2 Prior to issuance of grading and construction permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a project-specific Cultural Resources Treatment Plan. The Treatment Plan shall incorporate by reference the County-approved Phase III data recovery plan and County-approved Monitoring Plan. The Treatment Plan will serve as the basic background reference for the project, and will provide a programmatic and/or possible specific treatment options. Specifically, and at minimum, the Treatment Plan shall contain the following:</p> <ul style="list-style-type: none"> a. Compilation of background data; b. Regional research questions (e.g., who lived there and how long ago; what kinds of things did people do at the site; why did they choose to inhabit this area; what was the site's role in the larger system of settlements and camps throughout the region); c. Data recovery methodology, including field methods, analysis, reporting; d. Monitoring program; e. Strategies for the treatment of unanticipated discoveries; f. Protocols for continued consultation with interested Native American participants; and, g. Guidelines for long-term curation. <p>CR/mm-3 Prior to issuance of grading and construction permits, the applicant shall submit a Monitoring Plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:</p> <ul style="list-style-type: none"> a. list of personnel involved in the monitoring activities; b. inclusion of involvement of the Native American community, as appropriate; c. description of how the monitoring shall occur; d. description of frequency of monitoring (e.g., full-time, part time, spot checking); e. description of what resources are expected to be encountered; f. description of circumstances that would result in the halting of work at the project

CR Impact 1	
	<p>site (e.g., What is considered “significant” archaeological resources?);</p> <ul style="list-style-type: none"> g. description of procedures for halting work on the site and notification procedures; h. provisions defining education of the construction crew; i. protocol for treating unanticipated finds (refer to Treatment Plan); and, j. description of monitoring reporting procedures. <p>CR/mm-4 Prior to ground disturbance and construction activities, in consultation with a County-approved archaeologist, the applicant shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. In addition, the applicant shall provide all field supervisors with maps showing those areas sensitive for potential buried resources.</p> <p>CR/mm-5 During all initial ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all initial earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources not previously identified in the Monitoring and Treatment Plan, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.</p> <p>CR/mm-6 Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the qualified archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, CR Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures CR/mm-1, CR/mm-2, CR/mm-3, CR/mm-4, CR/mm-5, and CR/mm-6 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific cultural resource impacts upon review of a land use permit application. CR/mm-1, CR/mm-2, CR/mm-3, CR/mm-4, CR/mm-5, and CR/mm-6 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The recommended mitigation plan emphasizes additional data recovery in two locations at the site. A well-planned, focused data recovery program will mitigate any adverse project effects to less than significant. The Phase II evaluation program has provided a baseline from which to develop a fine-grained data recovery methodology; however, in and of itself, it is not sufficient to mitigate adverse impacts to the resource. Data recovery is an accepted mitigation measure, whereby the data potential of a resource is retrieved through controlled excavation, full analysis, and reporting. In addition, a project-</p>

CR Impact 1	
	<p>wide monitoring program is recommended for all activities requiring ground disturbance. Many of the project components will require minimal ground disturbance, likely within the vertical zone of disturbed soils. Other components will require deeper impacts, potentially into intact site strata. The monitoring program will address any significant features discovered during project development with a rapid evaluation, and if necessary, expedited data recovery effort. Based on incorporation of mitigation measures identified above, potential impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendment includes language addressing the Dana Adobe Historic designation (§22.122.030.B.). The language clarifies development standards specific to the historic site itself, and encourages consistency with historical context, including interpretive and educational components. Implementation of the proposed amendment would not have an adverse effect on cultural resources, because it includes standards to maintain historical context and provides for the continued maintenance of the Dana Adobe in the event DANA is no longer able to continue ownership of the parcel. Project-specific impacts to cultural resources are discussed in the analysis of the CUP (see below). In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific cultural resource impacts, the identified planning area standard would require the project applicant to avoid or minimize impacts to significant historic and archaeological resources by design, soil capping, detailed research design and data recovery, documentation, monitoring, an operational management program, and an educational interpretive program. Please refer to pages 4.3-1 through 4.3-10 of the Final EIR.</p> <p>Conditional Use Permit. Site CA-SLO-97/142/H is a complex prehistoric resource that contains two loci representing prehistoric occupation on the subject parcel. The upper portions of the site have been disturbed to varying degrees by historical development and land use, such that prehistoric materials in these upper strata are mixed with historic materials, indicating that the prehistoric deposit has lost its stratigraphic integrity. Cultural deposits below the level of disturbance, however, particularly in the two identified loci, appear to be intact thus providing important information about prehistoric occupation of the landscape. Because of the presence of important intact cultural deposits, the site is eligible for inclusion on the CRHP under criterion D: "sites that have yielded, or may be likely to yield, information important in prehistory or history." The evaluation also indicates that the site is not uniform, with concentrations of cultural materials interspersed with areas of relatively low levels of material. The depth of historical disturbance also varies widely across the site. Similarly, impacts from the proposed project are widespread with project facilities such as a visitor's center, outbuildings, restrooms, roads, trails, septic treatment systems (vertical or horizontal), and trails dispersed across the landscape. The Final EIR (Section 4.4 Cultural Resources, pages 4.4-1 through 4.4-26) and associated confidential technical report (Albion 2013) includes a detailed assessment of the site.</p> <p>Grading and construction activities within areas outside of identified Locus A and Locus B would not result in a potentially significant impact to archaeological resources. Project components that are located outside the identified loci include the Visitor's Center and outdoor amphitheater, portions of the trail system, and the Nipomo Creek bridge.</p> <p>Based on the evaluation, implementation of a data recovery program is recommended, which will retrieve important additional and corroborating data from the site that will address regional research questions. Data recovery conducted under the recommended program would supplement information obtained during the Phase II Evaluation. In addition to data recovery within Locus A and Locus B, monitoring is recommended for all initial ground disturbance pursuant to a County-approved Monitoring Plan.</p> <p>In addition, because site CA-SLO-97/142/H contains important and intact cultural deposits, and is likely eligible for the CRHP, preparation of a project-specific Cultural Resources Treatment Plan is required, which would apply to all aspects of the project, including on and off-site improvements, utility connections, and road improvements. The purpose of the Treatment Plan is to ensure proper and consistent management of cultural resources and to avoid or significantly reduce damage to the environment and cultural resources. The Treatment Plan would summarize information about known resources; provide an overview of the various prehistoric and historic contexts; and describe proposed collection, excavation,</p>

Attachment C - Exhibit LRP2011-00001C (Findings)

CR Impact 1	
	laboratory, curation, and reporting methodologies. Archaeological Treatment Plans are intended to emphasize research and discovery of resources prior to project activities. The Treatment Plan would establish a formal research design for data recovery, define a monitoring strategy, provide methods for the treatment of unanticipated resources discovered during construction, and specify protocols for interaction with the concerned Native American community. The Treatment Plan will serve as the basic background reference for the project, and will provide a programmatic and/or possible specific treatment options. Native American participation is encouraged and should continue as the project progresses. Please refer to pages 4.4-1 through 4.4-24 of the Final EIR.

CR Impact 2	
Proposed grading and construction activities may result in in advertent adverse effects to historical features associated with the Dana Adobe, resulting in a significant, long-term impact.	
Mitigation	<p>CR/mm-7 Upon application for construction permits for development on the 30-acre site, the applicant shall submit plans verifying the preservation of documented historic resources onsite, including the tallow vat, retaining wall, barn foundation, and windmill (refer to CRMS 2011).</p> <p>CR/mm-8 Upon application for construction permits for development on the 30-acre site, additional study including archival and field investigation shall verify the presence of the stagecoach roadbed. In the event the presence of the roadbed is determined, the applicant shall avoid the resource to the maximum extent feasible, and the site shall be addressed pursuant to the approved Phase III Data Recovery Plan and Monitoring Plan.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, CR Impact 2 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures CR/mm-7 and CR/mm-8 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific cultural resource impacts upon review of a land use permit application. CR/mm-7 and CR/mm-8 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the proposed continuation of preservation and restoration of the Dana Adobe, preservation and incorporation of elements consistent with the historical context of the structure and surrounding views, educational facilities to encourage historic preservation, and separation of uses (i.e., Dana Adobe and Visitor's Center), implementation of the project would not impair the integrity of the Dana Adobe or result in a significant adverse effect to the historic resource. In addition, the proposed project appears to meet the Historic finding requirements identified above. Based on incorporation of mitigation measures identified above, potential impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendment includes language addressing the Dana Adobe Historic designation (§22.122.030.B.). The language clarifies development standards specific to the historic site itself, and encourages consistency with</p>

CR Impact 2	
	<p>historical context, including interpretive and educational components. Implementation of the proposed amendment would not have an adverse effect on cultural resources, because it includes standards to maintain historical context and provides for the continued maintenance of the Dana Adobe in the event DANA is no longer able to continue ownership of the parcel. Project-specific impacts to cultural resources are discussed in the analysis of the CUP (see below). In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific cultural resource impacts, the identified planning area standard would require the project applicant to avoid or minimize impacts to significant historic resources by design, soil capping, detailed research design and data recovery, documentation, monitoring, an operational management program, and an educational interpretive program. Please refer to pages 4.3-1 through 4.3-10 of the Final EIR.</p> <p>Conditional Use Permit. The County LUO includes the following required findings for approval for land use permit applications within a Historic (H) combining designation related to a historic structure:</p> <ol style="list-style-type: none"> (1) The height, bulk, location, structural materials, landscaping and other aspects of the proposed use will not obstruct public views of the historic structure or of its immediate setting; (2) Any proposed alteration or removal of structural elements, or clearing of landscaping or natural vegetation features will not damage or destroy the character of significant historical features and settings; (3) Any proposed remodeling or demolition is unavoidable because it is not structurally or economically feasible to restore or retain existing structures or features. <p>Implementation of the project will include continued restoration of the Dana Adobe and associated historical features, consistent with Secretary of the Interior Standards. Interpretive and educational amenities will further educate the public about this significant historic resource, and encourage future restoration and preservation. Use of the Old Stagecoach Road will represent an impact and a thorough documentation and attempt to establish its alignment and construction is recommended. Continued preservation and restoration of historic structures and features (i.e., tallow vat, barn foundation) is included in the proposed project. Please refer to pages 4.4.-1 through 4.4-25 of the Final EIR.</p>

CR Impact 3	
Proposed grading and construction activities may result in in advertent adverse effects to paleontological resources, resulting in a significant, long-term impact.	
Mitigation	<p>CR/mm-9 In the event ground disturbance exceeds 6 feet in depth within Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay, the applicant shall retain a qualified paleontologist to monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, CR Impact 3 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure CR/mm-9 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because this measure addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific paleontological resource impacts upon review of</p>

CR Impact 3	
	<p>a land use permit application. CR/mm-9 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on implementation of monitoring during deep ground disturbance (if proposed within these identified soil units), potential impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The LUO Amendment does not include language that would increase the development density of the subject parcel. Project-specific impacts to paleontological resources are discussed in the analysis of the CUP (see below). In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific paleontological resource impacts, the identified planning area standard would require the project applicant to avoid or minimize impacts to significant paleontological resources by design, soil capping, detailed research design and data recovery, documentation, monitoring, an operational management program, and an educational interpretive program. Please refer to pages 4.3-1 through 4.3-10 of the Final EIR.</p> <p>Conditional Use Permit. No paleontological resources were noted onsite; however, significant resources may be encountered at a depth of 6 feet within the Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay soil units. Impacts may occur upon installation of septic systems, and mitigation would apply. Please refer to pages 4.4-1 through 4.4-25 of the Final EIR.</p>

7.5 HAZARDS AND HAZARDOUS MATERIALS (CLASS II)

HM Impact 1	
During construction of the project, the use of heavy equipment may result in accidental spill or leakage of potentially hazardous materials (i.e., fuels, oil), resulting in a significant, short-term impact.	
Mitigation	Implement BIO/mm-2, BIO/mm-9, BIO/mm-10, WR/mm-1, and WR/mm-2.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, HM Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures BIO/mm-2, BIO/mm-9, BIO/mm-10, WR/mm-1, and WR/mm-2 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific biological and water resource impacts (related to hazardous materials) upon review of a land use permit application. BIO/mm-2, BIO/mm-9, BIO/mm-10, WR/mm-1, and WR/mm-2 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on incorporation of mitigation measures identified above, including compliance with the County LUO and an RWQCB-approved SWPPP, potential impacts would be less than significant with mitigation (Class II).</p>

HM Impact 1	
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials. The amendment includes a clarification regarding the Southland Interchange project, which is no longer proposed by the County and California Department of Transportation (Caltrans). Development is required to demonstrate adequate emergency access, as determined by CAL FIRE. Please refer to pages 4.6-1 through 4.6-10 of the Final EIR.</p> <p>Conditional Use Permit. Construction of the project would require the use of heavy equipment, which may leak fluids, oils, or hydrocarbons resulting in a potential hazard to the public and the environment. Compliance with the required SWPPP, LUO, and implementation of standard BMPs to prevent, contain, and clean-up any potential accidents, leaks, or spills during construction would address this impact. Please refer to pages 4.6-1 through 4.6-11 of the Final EIR.</p>

7.6 NOISE (CLASS II)

N Impact 1	
Amplified sound at special events proposed at the project site would exceed County thresholds, potentially affecting persons off-site, resulting in a significant, short-term and long-term impact.	
Mitigation	<p>N/mm-1 Upon application for construction permits, the applicant shall submit plans listing the following noise attenuation measures, which shall be implemented for the life of the project:</p> <ol style="list-style-type: none"> Outdoor events with amplified music or sound shall not be permitted to continue beyond 10:00 p.m. All soundspeaker systems shall include dispersed speakers oriented away from residential properties. Within the amphitheater, speakers shall be orientated downward or positioned below the stage. The enforced amplified sound limit (excluding the amphitheater) shall be 85 dB maximum as measured 50 feet from the source. The enforced amplified sound limit within the amphitheater shall be 80 dB maximum as measured 50 feet from the source. An on-site manager shall be present during all events to verify the amplified sound limit using a noise meter (Type 2 or better) and address noise complaints (if received). All noise complaints and subsequent remediation actions (i.e., reducing the amplified noise level within acceptable limits, adjusting speaker locations) shall be recorded by the on-site manager and kept on file by DANA. DANA shall provide a letter to all adjacent landowners including the name and contact information for the on-site manager. <p>All amplified noise attenuation measures shall be listed on any special event agreements issued by DANA.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, N Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure N/mm-1 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. In addition to compliance with the County Noise Element and Noise Ordinance, language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific noise impacts upon review of a land use permit application. N/mm-1 will be applied upon approval of the CUP, including incorporation into the approved</p>

N Impact 1	
	<p>conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the location of the project, and implementation of identified mitigation measures, noise generated by the project would not exceed thresholds identified in the County Noise Element, and potential noise impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to noise. Any future development may be affected by transportation-related noise, and may generate noise, potentially affecting nearby noise sensitive land uses. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of noise impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific noise impacts, the identified planning area standard would require the project to include measures to reduce potential noise impacts, such as limitations on maximum noise level, duration of special events, noise monitoring, and remediation for complaints. Please refer to pages 4.7-1 through 4.7-6 of the Final EIR.</p> <p>Conditional Use Permit. Due to the presence of a major noise source in the area (US 101), and sensitive noise receptors in the immediate area (i.e., residential uses), the applicant provided a <i>Noise Study</i> (Dubbink 2012). The results of the noise study are incorporated by reference into the EIR analysis (refer to Section 4.7 Noise, pages 4.7-1 through 4.7-11 of the Final EIR).</p> <p>The County Noise Element and Ordinance identify thresholds of exposure to stationary noise as measured at the property boundary of the receiving noise sensitive use. The hourly noise level threshold is 50 Leq between the hours of 7:00 a.m. and 10:00 p.m. (daytime hours) and 45 Leq between the hours of 10:00 p.m. and 7:00 a.m. (nighttime hours). Noise associated with construction is exempted by the County Noise Ordinance between the hours of 7:00 a.m. and 9:00 p.m. (weekdays) and 8:00 a.m. to 5:00 p.m. (weekends). The nearest sensitive receptors (residences) are located approximately 450 feet south and 2,200 feet to the northeast of the proposed visitor center area.</p> <p>Based on the traffic study prepared for the project (Rick Engineering 2012), the project would not generate traffic resulting in a substantial noise increase above existing conditions, and would therefore not result in a noticeable increase in transportation-related noise; please refer to Table 4.7-4 Estimated Traffic Increase (Baseline Plus Project) on page 4.7-7 of the Final EIR.</p> <p>Sources of noise generated by the project would include: amplified commentary during operation of the arena; amplified sound during events and use of the amphitheater at the visitor's center; demonstrations and other uses at the Chumash interpretive area; and other special events and concerts at the project site. Typical sound from outdoor events (as measured 50 feet from the source) would include: 1) amplified music (outdoors), 74-80 dB maximum sound level (Lmax)/73-76 dB Leq, and 2) amplified live band (inside tent), 76 dB Lmax/64-67 dB Leq. The associated sound levels resulting from amplified outdoor music, as measured at the property line, are shown in Table 4.7-5 Sound Levels at Property Line (Unmitigated), on page 4.7-8 of the Final EIR. As shown in the table, noise levels would exceed identified thresholds, and mitigation is required.</p> <p>Amplified sound generated by uses on the visitor's center terrace would be blocked by the structure itself, and noise would attenuate to a level of 56 dB, which is below the County's 65 dB Lmax threshold. In the event amplified sound is used within the Chumash interpretive area, the anticipated sound level would be 63 dB Lmax, as measured from the southern property line. This is below the County threshold of 65 dB. Please refer to pages 4.7-1 through 4.7-9 of the Final EIR.</p>

N Impact 2	
Amplified sound at special events proposed at the project site would result in periodic increases in the ambient noise level in the project vicinity, resulting in a significant, long-term impact.	
Mitigation	Implement N/mm-1.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, N Impact 2 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure N/mm-1 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. In addition to compliance with the County Noise Element and Noise Ordinance, language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific noise impacts upon review of a land use permit application. N/mm-1 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Although the noise generated by the project would increase the ambient noise level in the immediate area, in combination with existing baseline noise generated by surrounding uses and the US 101 transportation corridor, the increase would not be significantly noticeable and would only occur during special events. Mitigation is identified for amplified sound, which would reduce the noise level below adopted thresholds (as measured from the property boundary). Based on implementation of mitigation measures identified above, potential noise impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would result in an adverse effect related to noise. Any future development may generate noise, potentially affecting nearby noise sensitive land uses. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of noise impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific noise impacts, the identified planning area standard would require the project to include measures to reduce potential noise impacts, such as limitations on maximum noise level, duration of special events, noise monitoring, and remediation for complaints. Please refer to pages 4.7-1 through 4.7-6 of the Final EIR.</p> <p>Conditional Use Permit. The proposed project does not include any features that would generate a permanent or consistent source of noise. Construction of the project would result in a temporary source of noise due to the use of loud heavy equipment, machines, appliances, and hand tools. The applicant would be required to comply with the County Noise Ordinance, and limit construction to daytime hours. Special events are considered periodic and, as noted above, when amplified sound is used outdoors, mitigation would be necessary to reduce the noise level as measured from the property boundary.</p> <p>The ambient noise level along South Oakglen Avenue (west of the project site) is estimated to be 57 dB during the peak traffic hour. Future traffic levels on the highway and South Oakglen Avenue may add at least 3 dB to the ambient noise level. During special events at the amphitheater, the noise level will range from 61 to 64 dB Leq at the neighboring residential property line to the west, resulting in a combined sound level ranging from 63.5 to 65.5 dB Leq. Based on the LUO, where the existing ambient sound is above the permitted level (60 dB Leq), a significant impact would occur if the added sound increases this level by more than 1 dB. The use of amplified sound at the visitor's center would exceed the County's noise threshold (1 dB increase) by 2.5 to 4.5 dB (Dubbink 2012). The County Noise Element notes that sound level changes less than 3 dB are minimally detectable; however, mitigation</p>

N Impact 2	
	is recommended to reduce sound generated by the project and minimize significant impacts to sensitive receptors (refer to N/mm-1). Please refer to pages 4.7-1 through 4.7-10 of the Final EIR.

7.7 TRANSPORTATION AND CIRCULATION (CLASS II)

TC Impact 2	
Operation of the project, including generation of additional daily and special event trips, would contribute to LOS D conditions at the US 101/West Tefft Street southbound ramp intersection, resulting in a potentially significant impact.	
Mitigation	<p>TC/mm-2 Prior to issuance of building permits, to mitigate for impacts to the US 101 / West Tefft Street interchange during the PM peak hour, the applicant shall:</p> <ol style="list-style-type: none"> Prepare a Transportation Demand Management (TDM) Program subject to the review and approval of the County Department of Public Works that adjusts: <ol style="list-style-type: none"> Visitor Center hours outside of the weekday AM peak hours (7:30 a.m. to 9:30 a.m.) and PM peak hours (4:30 p.m. to 6:30 p.m.); and, New employee/volunteer hours to avoid outbound trips between 4:30 p.m. and 6:00 p.m. or, In the event the project would generate new peak hour trips, the applicant shall consult with the County Department of Public Works, and submit the South County Area 1 Road Fee in the amount prevailing at the time of payment.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, TC Impact 2 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure TC/mm-2 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific transportation and circulation impacts upon review of a land use permit application. TC/mm-2 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Implementation of the project would not cause a reduction in LOS on any affected roadway or intersection; however, the additional trips would contribute to a deteriorating condition. Identified mitigation would reduce the potential for peak hour trips, and address the project's contribution to traffic on the US 101/West Tefft Street interchange. Based on incorporation of mitigation measures identified above, potential impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendment would not result in a land use designation change, intensification of land use, or remove a barrier to growth. The proposed amendment includes an update to language regarding the Southland Street interchange (§22.112.080.G.1). The language is clarified to delete the reference to this interchange project because it is no longer proposed by the County Public Works and Caltrans, and replaces it with a requirement for emergency access. This change meets the intent of the original measure by providing emergency access to and from the project site, and would not result in a significant transportation or safety related impact. In order to ensure</p>

TC Impact 2	
	<p>that future projects, such as the proposed Master Plan and CUP, address project-specific transportation and circulation impacts, the identified planning area standard would require the project applicant to present measures to reduce impacts to roads and intersections in the area, such as adjustments to peak hour trip generation, payment of road fees, and street improvements based on consultation with the County Department of Public Works. Please refer to pages 4.9-1 through 4.9-4 of the Final EIR.</p> <p>Conditional Use Permit. The traffic analysis prepared for the project considered the project's effect on the environment, including "background conditions." Background conditions are different from existing conditions in that they include projects that have been approved by the County, and are anticipated to be constructed and contribute to traffic trips and LOS within the study area. The traffic analysis assumed completion of the Willow Road Interchange project, which was constructed in early 2013, and is currently part of the baseline conditions. Based on the results of the background roadway segment analysis, all roadways would operate at LOS A except for Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B). Improvements to Mary Avenue were conditioned as part of the Landdev LLC project, which would improve LOS to an acceptable level. During the PM peak hour, taking into account completion of the Willow Road Interchange project, the traffic analysis found that all intersections would operate at acceptable LOS except the US 101/West Tefft Street southbound ramps (LOS D).</p> <p>Under "Background Plus Project" conditions, all roadways would operate at LOS A except for: Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B), due to other projects in the area (i.e., Landdev LLC). As noted above, the Landdev project includes mitigation that would improve LOS. The project would not reduce LOS on any roadway within the study area (Rick Engineering 2012). During the PM peak hour, taking into account completion of the Willow Road Interchange project, all intersections would operate at acceptable LOS except the US 101/West Tefft Street southbound ramps (LOS D). A majority of project-related trips during the PM peak hour include visitor's center guests and employees/volunteers. The proposed project would contribute to the LOS D designation during the PM peak hour, resulting in a potentially significant impact, which would be mitigated by control of operation hours or payment of road fees. Please refer to pages 4.9-1 through 4.9-10 of the Final EIR.</p>

7.8 WATER RESOURCES (CLASS II)

WR Impact 1	
The project would include construction activities that would require ground disturbance and use of heavy equipment, which may result in the discharge of sediment and other pollutants, indirectly affecting surface and ground water quality, and resulting in short-term impacts.	
Mitigation	<p>Implement BIO/mm-2, BIO/mm-9, and BIO/mm-10.</p> <p>WR/mm-1 Prior to issuance of a grading permit, the applicant shall provide a copy of the RWQCB-approved SWPPP. The SWPPP shall be implemented prior to, during, and following ground disturbance.</p> <p>WR/mm-2 At the time of application for grading and construction permits, all applicable plans shall clearly show stockpile and staging areas. Stockpiles and staging areas shall not be located within 100 feet of Nipomo Creek, Carillo Creek, Adobe Creek, or any drainage swale. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be on-site at all times during construction. The staging areas shall conform to standard BMPs applicable to attaining zero discharge of storm water runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Maintenance, cleaning, and refueling of equipment and</p>

Attachment C - Exhibit LRP2011-00001C (Findings)

WR Impact 1	
	vehicles shall not be permitted onsite or on South Oakglen Avenue.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, WR Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures WR/mm-1, WR/mm-2, BIO/mm-2, BIO/mm-9, and BIO/mm-10 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific water resources upon review of a land use permit application. WR/mm-1, WR/mm-2, BIO/mm-2, BIO/mm-9, and BIO/mm-10 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on incorporation of mitigation measures identified above, including compliance with the County LUO and an RWQCB-approved SWPPP, potential impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment does not include any changes that are inconsistent with the County Code and General Plan related to hydrology and water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including an assessment of potential water quality impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. As proposed, the project would result in the disturbance of approximately 8.3 acres. Nipomo Creek, Adobe Creek, and Carillo Creek traverse the project site, and the project includes an emergency access drive crossing over Nipomo Creek. Trails and footbridges would cross the smaller creeks on the 100-acre portion of the site. As noted in Sections 4.3 (Biological Resources) and 4.5 (Geology and Soils), during construction, short-term erosion and sedimentation may occur, resulting in a potentially significant impact. In addition to sediments, during construction of the project, leaking hydrocarbons from equipment and vehicles may migrate from the developed area into the surface waters, resulting in a potentially significant impact. Compliance with existing stormwater ordinances and implementation of identified mitigation is required. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p>

WR Impact 2	
Operation of the project would include vehicle parking areas, which may result in the discharge of hydrocarbons and other pollutants in stormwater runoff, indirectly affecting surface and ground water quality, and resulting in short-term and long-term impacts.	
Mitigation	WR/mm-3 At the time of application for construction permits, the applicant shall show

WR Impact 2	
	<p>on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of LID design techniques. At least three designer-selected LID/stormwater runoff reduction measures shall be applied to the project, including, but not limited to the following options:</p> <ul style="list-style-type: none"> a. Parking lots shall be designed to drain to vegetated depressions, rain gardens, or open areas to allow for stormwater infiltration. b. Roof runoff should be directed to landscape areas (rain gardens) and/or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants. c. Vegetated drainage swales shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner. d. Pavement disconnection within the parking area. e. Other measures, as approved by the County Planning Department in consultation with Public Works. <p>These measures shall be implemented prior to final inspection or occupancy, whichever occurs first.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, WR Impact 2 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure WR/mm-3 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because this measure addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific water resources upon review of a land use permit application. WR/mm-3 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Compliance with the County LUO and implementation of LID techniques would reduce potential surface runoff impacts to less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment does not include any changes that are inconsistent with the County Code and General Plan related to hydrology and water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including an assessment of potential water quality impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. As proposed, the project would result in the creation of additional parking areas onsite. During operation of the project, leaking hydrocarbons from equipment and vehicles may migrate from the developed area into the surface waters, resulting in a potentially significant impact. Compliance with existing stormwater ordinances and Low Impact Development standards, and implementation of identified mitigation is required. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p>

Attachment C - Exhibit LRP2011-00001C (Findings)

WR Impact 3	
Development of the project would create additional impervious surfaces, which would potentially reduce soil absorption rates, increase and re-direct runoff, and increase the potential for downstream flooding, resulting in a significant long-term impact.	
Mitigation	<p>Implement WR/mm-3.</p> <p>WR/mm-4 At the time of application for construction permits, the applicant shall submit complete drainage, flood hazard, and erosion and sedimentation control plans for review and approval in accordance with §§22.52.110 (Drainage Plan Required), 22.14.060 (Flood Hazard Area), and 22.52.120 (Erosion and Sedimentation Control Plan Required) of the LUO. The applicant shall demonstrate that project construction plans are in conformance with the Source Control BMPs as identified for project incorporation in the Stormwater Quality Plan Application for Priority Projects.</p> <p>WR/mm-5 For the life of the project, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II stormwater program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, §8.68 et sec.</p>
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, WR Impact 3 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures WR/mm-3, WR/mm-4, and WR/mm-5 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific water resources upon review of a land use permit application. WR/mm-3, WR/mm-4, and WR/mm-5 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. The creation of additional impervious surfaces creates the potential for increased stormwater flow rates. Proper planning and implementation of BMPs and LID strategies reduces the potential uncontrolled drainage and increased flow resulting in erosion, flooding, and other adverse drainage impacts. Based on implementation of mitigation measures, potential impacts to stormwater flow would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment does not include any changes that are inconsistent with the County Code and General Plan related to hydrology and water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including an assessment of potential water quality impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. Implementation of the project would create additional impervious</p>

Attachment C - Exhibit LRP2011-00001C (Findings)

WR Impact 3	
	<p>surfaces, totaling approximately 39,300 square feet (including a 21,750-square-foot paved main parking lot), which has the potential to reduce the soil's ability to absorb rainfall and contribute to stormwater runoff. Increased impervious areas have the potential to result in downstream flooding, higher peak flows, and carry polluted runoff. Based on review by County Public Works, the project is subject to standards identified in the LUO and County's Stormwater Pollution Control and Discharge Ordinance. No significant capacity issues were identified.</p> <p>The County LUO requires management of stormwater flow to ensure rates do not exceed existing conditions. Incorporation of LID strategies, consistent with LUO §22.10.155 (Stormwater Management) would avoid or minimize the project's contribution to water quality and drainage issues affecting surface water bodies in Nipomo and the South County area. The proposed project includes several LID measures to retain and reduce runoff, all which meet County and RWQCB guidelines to reduce off-site runoff. For example, the project has proposed: rain gardens for stormwater capture, maximization of pervious surfaces (i.e., decomposed gravel in lieu of paved parking areas and ADA trails), and additional oak tree plantings and native landscaping throughout the site.</p> <p>LUO regulations applicable to the 21,750-square-foot main, paved, parking area would include: reduction of impervious land coverage to the maximum extent practicable, oil and hydrocarbon infiltration and treatment of runoff, and development and implementation of a maintenance program for the life of the project. Based on compliance with existing regulations, including preparation and implementation of drainage, stormwater management (construction and operational), and an erosion and sedimentation control plan, potential impacts would be mitigated to less than significant. Please refer to pages 4.10-1 through 4.10-13 of the Final EIR.</p>

WR Impact 4	
The project would change the drainage pattern in an area with substantial potential for sedimentation, erosion and flooding, resulting in a significant long-term impact.	
Mitigation	Implement BIO/mm-9, BIO/mm-10, WR/mm-3, WR/mm-4, and WR/mm-5.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, WR Impact 4 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measures BIO/mm-9, BIO/mm-10, WR/mm-3, WR/mm-4, and WR/mm-5 identified in the Final EIR and Mitigation Monitoring and Reporting Program are not applicable to the LUO Amendment, because these measures address and minimize a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific water resources upon review of a land use permit application. BIO/mm-9, BIO/mm-10, WR/mm-3, WR/mm-4, and WR/mm-5 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Implementation of the project would affect existing drainage patterns; however, compliance with existing regulations and implementation of proposed LID techniques is required, and would ensure that impacts are less than significant with mitigation (Class II).</p>
Supportive	Land Use Ordinance Amendment. The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed

WR Impact 4	
Evidence	<p>changes to the land use category or development potential of the site. The amendment does not include any changes that are inconsistent with the County Code and General Plan related to hydrology and water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including an assessment of potential water quality impacts. In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, the identified planning area standard would require the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards. Please refer to pages 4.10-1 through 4.10-11 of the Final EIR.</p> <p>Conditional Use Permit. There is moderate to high potential for sedimentation, erosion, and flooding adjacent to Nipomo Creek and the project would change drainage patterns in those areas. In addition to compliance with existing ordinances (erosion and sedimentation control, stormwater management), the project incorporates design techniques, and mitigation measures have been recommended to reduce potential impacts associated with sedimentation, erosion, and stormwater flows during rain events to less than significant. No additional impacts associated with the change in drainage patterns would occur. Please refer to pages 4.10-1 through 4.10-14 of the Final EIR.</p>

7.9 LAND USE (CLASS II)

LU Impact 1	
Operation of the project would generate noise potentially exceeding thresholds identified in the County Noise Element, and potentially resulting in a significant, long-term impact.	
Mitigation	Implement N/mm-1.
Findings	<p>Land Use Ordinance Amendment. No physical effects would occur as a result of the LUO Amendment; therefore, LU Impact 1 would not occur until approval of a land use permit and subsequent construction permits, and development of the site. Mitigation measure N/mm-1 identified in the Final EIR and Mitigation Monitoring and Reporting Program is not applicable to the LUO Amendment, because it addresses and minimizes a potentially significant impact that would occur upon approval of the proposed CUP and construction of an approved project. Language currently identified in LUO Section 22.112.080G, and language proposed in the LUO Amendment (refer to Section 2.2.1 of this document) ensures that the County will address project-specific noise impacts, which may result in a land use conflict, upon review of a land use permit application. N/mm-1 will be applied upon approval of the CUP, including incorporation into the approved conditions of approval for the CUP.</p> <p>The County will adopt a separate set of findings upon approval of the CUP, as required by Public Resources Code Section 21081 (Necessary Findings Where Environmental Impact Report Identifies Effects) and CEQA Guidelines Sections 15091 (Findings) and 15092 (Approval).</p> <p>Conditional Use Permit. Based on the design of the proposed project, and implementation of identified mitigation measures, the project would not result in any significant land use impacts related to consistency with plans and policies and no additional mitigation is necessary. Potential land use impacts would be less than significant with mitigation (Class II).</p>
Supportive Evidence	<p>Land Use Ordinance Amendment. The proposed LUO amendments include clarifications to the permitting process for the site, identified in §22.112.080.G.2. The revised language clarifies that future non-residential and non-agricultural development of the site shall be consistent with an approved Master Plan, and a CUP will be required for approval of the</p>

LU Impact 1	
	<p>Master Plan and any subsequent major changes. The amended language also clarifies that minor amendments to the Master Plan shall be approved pursuant to permit requirements identified in the LUO. The CUP shall identify the areas proposed for development. These proposed changes modernize the LUO language by considering existing conditions, and providing process for future approvals. Implementation of the amendment would not have an adverse effect on land use, or be inconsistent with applicable plans and policies. In addition, the identified planning area standards address specific environmental issue areas, including noise. These standards are included to ensure these issues are addressed prior to future development of the site. In this case, the applicant currently has a proposed project and CUP application under consideration in this EIR. Please refer to pages 4.11-1 through 4.11-5 of the Final EIR.</p> <p>Conditional Use Permit. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use, and the project was found to be consistent with these documents (refer to Chapter 3, Environmental Setting, Consistency with Plans and Policies, pages 3-5 through 3-49 of the Final EIR). Key combining designations and policies relating to environmental resources are discussed in applicable sections of the EIR and are summarized in Section 4.11 Land Use of the Final EIR (pages 4.11-1 through 4.11-6).</p> <p>The proposed project would generate noise potentially exceeding thresholds identified in the County Noise Element (refer to Section 4.7 Noise, pages 4.7-1 through 4.7-11 of the Final EIR), and result in a potentially significant land use impact. Mitigation is identified, which would reduce the noise level at the source and provide additional attenuation to avoid potential land use conflicts (refer to N/mm-1). Please refer to pages 4.11-1 through 4.11-6 of the Final EIR.</p>

8.0 FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT AND UNAVOIDABLE

No significant and unavoidable impacts (Class I) were identified for the proposed project.

9.0 CUMULATIVE AND GROWTH INDUCING IMPACTS

9.1 CUMULATIVE IMPACTS

State CEQA *Guidelines* §15355 defines cumulative impacts as

“two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts”. Further, “the cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

The Guidelines require the discussion of cumulative impacts to reflect the severity of the impacts and their likelihood of occurrence. However, the discussion need not be as detailed as the analysis of impacts associated with the project, and should be guided by the rule of reason. Cumulative impacts associated with this project are discussed in the topical analysis sections provided in Chapter 4 of the Final EIR.

The cumulative development scenario is identified in Chapter 3 Environmental Setting, Section 3.4 Cumulative Study Area (pages 3-50 through 3-54 of the Final EIR).

9.1.1 Aesthetics/Visual Impacts

The US 101 corridor through southern San Luis Obispo County has undergone visual changes within the last several years with new residential and commercial development. These changes have resulted in an increased built-character through the corridor. As development proposals continue to be advanced between Nipomo and Santa Maria, the visual benefits of the remaining open space and agricultural land increase in terms of preserving county scenic goals. The proposed project would place development near South Oakglen Avenue, in line with existing structures along the roadway. Existing vegetation would remain, which partially shields views of the site, as seen from US 101. Based on the location of the project, and continued preservation of the 100 acres to the east of Nipomo Creek, implementation of the project would not result in a significant cumulative impact to visual resources (less than significant, Class III). Please refer to pages 4.1-1 through 4.1-5 of the Final EIR.

9.1.2 Agricultural Resources (Class III)

A majority of the projects recently constructed, approved, or under consideration by the County are located within the Nipomo urban area, and would not result in significant impacts to agricultural resources. The Laetitia Agricultural Cluster Tentative Tract Map and CUP would result in the conversion of Farmland if approved as proposed. The proposed project would not result in significant impacts to agricultural resources, and would locate development within the smaller (30-acre) portion of the site while keeping the remainder (100 acres) in open space. Based on the design of the project, potential cumulative impacts to agricultural resources would be less than significant (Class III). Please refer to pages 4.12-1 through 4.12-4 of the Final EIR.

9.1.3 Air Quality (Class III)

The cumulative study area for air quality impacts is the South Central Coast Air Basin (SCCAB). The project would contribute criteria pollutants during project construction and long-term

operational use, including ozone precursors and particulate matter. Several land development projects are either under consideration by the County, under construction, or recently built, including mixed-use, residential, commercial, health facility projects. Some of these projects may be under construction simultaneously with the project and, in the long term, would be generating similar air emissions due to use of construction equipment, increased traffic trips, and energy use.

Depending on construction schedules and actual implementation of projects in the air basin, generation of fugitive dust and pollutant emissions during construction could result in short-term increases in air pollutants. Analysis conducted specifically for this project concluded that implementation of the proposed project would not significantly contribute to cumulative long-term operational air quality impacts because it would not exceed identified thresholds upon implementation of mitigation. GHG impacts, including those described above, all contribute cumulatively with those produced worldwide, to affect climate change. As proposed, the project includes design elements that would reduce the potential for GHG emissions, and would not result in a significant contribution to cumulative GHG emissions, and subsequent climate change. Cumulative effects would be less than significant (Class III). Please refer to pages 4.2-1 through 4.2-26 of the Final EIR.

9.1.4 Biological Resources (Class III)

Construction-related disturbance to vegetation and wildlife on the project site will cause a shift in the overall structure of suitable habitat present. This otherwise temporary impact will be sustained by the significant alteration to the land use within the survey area. Thus, the short-term and long-term impacts associated with this project will cumulatively result in a significant change to the habitat structure, vegetation communities, and wildlife present on site. However, existing open space, riparian and agricultural uses at the project site would be protected and enhanced by project restoration activities. At this time, no other projects are known that would add to cumulative impacts as a result of this project.

The specific impacts resulting from the proposed project identified above would be mitigated to a less than significant level, and the project would not contribute to cumulatively significant impacts. Cumulative impacts would be less than significant (Class III). Please refer to pages 4.3-1 through 4.3-18 of the Final EIR.

9.1.5 Cultural Resources (Class III)

The Nipomo Mesa and Los Berros areas contain more square meters of light density cultural deposits than any other areas in southern San Luis Obispo County (Gibson 2006). Documented surveys indicate a seasonal pattern of occupational movement between interior regions near oak woodland and along good sources of water to the coastal dunes, and permanent habitation sites in key locations. Past and current developments in the immediate region have impacted archaeological sites and degraded the value of cultural materials by direct disturbance, removal of artifacts during testing, displacement, and looting. The individual effects to separate, known, significant archaeological sites in the South County area combined with the incremental effect of the proposed project's significant and unavoidable effect to archaeological resources collectively result in a significant and unavoidable cumulative impact to archaeological resources. Implementation of the proposed project would contribute to the cumulative degradation of significant archaeological resources in the South County area. The LUO requires protection of cultural resources, and the County typically requires implementation of mitigation measures including avoidance by design, intensive field investigations such as testing and data recovery programs, monitoring during construction, and long-term protection of known sensitive areas. As

proposed and with incorporation of identified mitigation measures, implementation of the proposed project would not result in a significant, adverse impact to historic, archaeological, or cultural resources. Potential impacts would not be cumulatively considerable, and in the long-term, the proposed project provides an opportunity for further education facilitating the protection of cultural resources in the County. Therefore, potential cumulative impacts would be less than significant (Class III). Please refer to pages 4.4-1 through 4.4-26 of the Final EIR.

9.1.6 Geology and Soils (Class III)

Additional development in the project vicinity, including the proposed project, would increase the number of people and structures exposed to a variety of geologic and soils hazards within the county, including landslides and ground shaking. Potential impacts related to geologic, soils, and seismic hazards are all site-specific, and mitigation measures are applied to each project to minimize the potential for significant geologic impacts. All development projects are required to comply with State and local regulations regarding grading and construction; therefore, no cumulative impacts related to these issues have been identified. Based on the proposed water demand (1.28 acre feet/year), this amount of water use would not result in cumulatively considerable impact related to land subsidence.

Implementation of mitigation measures identified above and compliance with existing regulations would mitigate impacts to less than significant, and no additional measures are necessary. Potential cumulative geology and soils impacts would be less than significant (Class III). Please refer to pages 4.5-1 through 4.5-7 of the Final EIR.

9.1.7 Hazards and Hazardous Materials (Class III)

Due to the type of project proposed, and lack of significant hazards or hazardous materials within or near the project site, construction and operation of the project would not significantly contribute to environmental impacts related to hazards. Cumulative impacts would be less than significant (Class III). Please refer to pages 4.6-1 through 4.6-14 of the Final EIR.

9.1.8 Noise (Class III)

There are no proposed or recently approved projects in the immediate area that would generate a significant level of stationary noise. As noted above, the primary source of noise generated by the project would occur during special events. Mitigation is identified that would address the project's contribution to the cumulative noise environment; therefore, cumulative noise impacts related to stationary noise would be *less than significant (Class III)*.

To determine the cumulative traffic noise level increase, the *Traffic Impact Analysis* (March 2012) was used in order to determine cumulative traffic conditions. Due to the relatively low number of expected additional trips (compared to cumulative conditions) estimated noise level increases due to project generated traffic are expected to be negligible (refer to Table 4.7-7 of the EIR). Based on the traffic and noise analysis, potential cumulative noise impacts related to transportation noise generated by the project would be less than significant (Class III). Please refer to pages 4.7-1 through 4.7-11 of the Final EIR.

9.1.9 Public Services and Utilities (Class III)

The impacts of the proposed development within the community of Nipomo would contribute to a cumulative effect on public emergency services and responders. Development is subject to public service fees upon permit issuance, which assists such facilities by providing funds for increased infrastructure and improved facilities. However, these fees do not address additional

staffing. The demand for public and emergency services staff increases with additional growth within the community of Nipomo, and cumulative effect may be significant.

In addition, the project would contribute to the demand for energy, including electricity, gas, and fossil fuels. Implementation of the project accommodates energy conservation in design and operation. Furthermore, the project includes visitor-serving facilities within an existing urban area in proximity to US 101, which would reduce vehicle miles traveled (and consumption of fuels for vehicle use) within the community of Nipomo.

Based on the location and design of the project, the proposed project would not have a cumulatively considerable effect on public services, and potential impacts would be less than significant (Class III). Please refer to pages 4.8-1 through 4.4-8 of the Final EIR.

9.1.10 Population and Housing (Class III)

The project would not create significant impacts on existing housing or population levels. The proposed uses are consistent with the County General Plan and land use designation. Therefore, no cumulatively significant impact would occur; cumulative impacts would be less than significant (Class III). Please refer to pages 4.12-4 through 4.12-6 of the Final EIR.

9.1.11 Recreation (Class IV)

Implementation of the proposed project would result in a *beneficial (Class IV)* impact to recreational resources, because it would improve recreational opportunities within the community of Nipomo and the South County Area. Please refer to pages 4.12-6 through 4.12-8 of the Final EIR.

9.1.12 Transportation and Circulation (Class III)

The cumulative conditions scenario includes background conditions and projects currently under consideration by the County. Under this scenario, all roadways would operate at LOS A except for Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B). However, improvements to Mary Avenue were conditioned as part of the Landdev LLC project, which would improve LOS to an acceptable level.

During the PM peak hour, taking into consideration the recent completion of the Willow Road Interchange project, all intersections would operate at acceptable LOS except the US 101/West Tefft Street southbound ramps (LOS D). The proposed project would contribute to the LOS D designation during the PM peak hour under cumulative conditions, although the contribution would be minor (approximately eight PM peak hour trips). Identified project-specific mitigation includes implementation of a TDM program, which would reduce peak hour trips and payment to the South County Area 1 Road fee (if PM peak hour trips are generated) (refer to TC/mm-2). Therefore, potential cumulative impacts would be less than significant (Class III). Please refer to pages 4.9-1 through 4.9-7 of the Final EIR.

9.1.13 Wastewater (Class III)

Implementation of the proposed project would not result in a cumulatively considerable impact related to on-site wastewater treatment and disposal, or to the NCSD's sewer system. Potential cumulative impacts would be less than significant (Class III). Please refer to pages 4.12-8 through 4.12-11 of the Final EIR.

9.1.14 Water Resources (Class III)

As noted by the County General Plan and LUO, water supply and water quality issues within Nipomo require compliance with area-specific standards and regulations. These standards are required for discretionary projects (such as the proposed LUO Amendment and CUP) and issuance of building permits (refer to the Plumbing Code). All projects within the NMMA and/or served by the NCSD are now required to comply with adopted standards and regulations, which would reduce the cumulative effect on water resources.

Regarding water supply, the NCSD is required to reduce its per capita water use by 20% from the baseline year (average between 1996 and 2005) by December 31, 2020, with an interim target of 10% reduction by December 31, 2015. As noted in the NCSD's Urban Water Management Plan (2011), NCSD has reduced water use by 27.5% from the baseline, and has exceeded required goals. Current water use (2010) is 173.9 gallons/capita/day; targeted water use for 2020 is 204 gallons/capita/day (adjusted for anticipated growth). In order to attain this goal while accommodating anticipated additional growth, the NCSD has implemented water conservation measures, including a four-tier residential "water conservation" rate (November 1, 2011) and California Urban Water Conservation Council-approved BMPs. Additional measures include development standards and target reducing consumption for high-use customers (NCSD 2011). In addition, further development of supplemental water, and increased use of recycled water, within the service area will be implemented in the future to reduce demands from NCSD wells.

Based on the size and design of the proposed project, estimated annual water demand, and implementation of identified mitigation measures, the project would not have a cumulatively considerable effect on water resources. Potential cumulative effects would be less than significant (Class III). Please refer to pages 4.10-1 through 4.10-16 of the Final EIR.

9.1.15 Land Use (Class III)

Potential cumulative land use impacts would be avoided or minimized through implementation of the mitigation measures described in this EIR. The proposed uses are consistent with the surrounding community and the land use designation and policies applicable to the project site. The project would comply with all applicable policies and regulations related planning and environmental resources. Therefore, potential cumulative land use impacts would be less than significant (Class III). Please refer to Table 3-1 Consistency with Plans and Policies (pages 3-9 through 3-49) and pages 4.11-1 through 4.11-6 of the Final EIR.

9.2 GROWTH-INDUCING IMPACTS

The growth inducing impacts section of this Environmental Impact Report (EIR) addresses the effects the proposed project may have on surrounding facilities and activities by assessing the ways in which a project could encourage population or economic growth, increase employment opportunities or employment growth in support of an industry, or the construction of new housing or service facilities, either directly or indirectly.

The California Environmental Quality Act (CEQA) Guidelines state that in the preparation of an EIR, growth inducing impacts that need to be addressed are such that "...foster economic or population growth, or the construction of additional housing...remove obstacles to population growth...encourage and facilitate other activities that could significantly affect the environment either individually or cumulatively" (§15126.2 (d)). An example given is the expansion of a wastewater treatment plant allowing for increased construction in service areas.

Attachment C - Exhibit LRP2011-00001C (Findings)

The proposed Land Use Ordinance Amendments and actions identified in the Conditional Use Permit request do not include any features that would be growth inducing, or remove any impediment to growth. The project would not create new jobs or require additional housing. Given its relatively small scale and limited function, the proposed project would not be considered growth-inducing. Impacts would be less than significant. Please refer to page 6-1 of the Final EIR.

10.0 ALTERNATIVES

CEQA, §15126.6(a), requires an EIR to “describe a reasonable range of alternatives to a project, or to the location of a project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives”. Through the scoping process, if an alternative was found to be infeasible, as defined above, then it was dropped from further consideration. In addition, CEQA states that alternatives should “...attain most of the basic objectives of the project...” Please refer to Chapter 5, Alternatives Analysis, of the EIR for a detailed discussion of the alternatives. The following alternatives were selected for more detailed review.

10.1 NO PROJECT ALTERNATIVE – LAND USE ORDINANCE AMENDMENT

Under the No Project Alternative – Land Use Ordinance Amendment, no changes to the County LUO would occur. Proposed clarifications that would accurately represent current land ownership would not be approved. Language requiring construction of the Southland Street Interchange would remain, in addition to design standards identified in the current ordinance. The existing reference to the “Site Master Plan” on file would be outdated and inconsistent with current conditions. The proposed project, which includes the CUP request and a Master Plan, may be considered by the decision-makers regardless of approval of the LUO Amendments; however, the decision and associated findings would be complicated by the current inconsistencies in the existing ordinance language, primarily the requirement for the Southland Street Interchange (which is not proposed by the applicant or currently pursued by the County or the California Department of Transportation [Caltrans]) and implementation of the Master Plan would not occur.

10.2 NO PROJECT ALTERNATIVE – CONDITIONAL USE PERMIT

The No Project Alternative – Conditional Use Permit would include none of the components of the proposed project. Continued restoration of the Dana Adobe would occur, in addition to qualifying non-profit events and educational tours. The No Project Alternative would not meet the primary goal of the project, which is to establish the plan for protection/preservation of the historic Dana Adobe and develop the surrounding area for educational purposes.

10.3 DESIGN ALTERNATIVE A – INITIAL CONCEPTUAL SITE PLAN

This alternative consists of a conceptual plan, which was developed during preparation of the applicant’s grant application submittal to the State Parks Nature Education Facilities Program. Please note that the final plan submitted in the grant application package included additional features not included in this reduced development alternative. The Conceptual Site Plan includes the following: Visitor’s Center and curation room, indoor and outdoor spaces and native gardens; nature education classroom and outdoor patio; Native American (Chumash) interpretive features and living Chumash Village including a ceremonial circle, painted caves, sweat lodge, arbors, story boulders, garden, signage; nature trail system with Native American interpretive features; restrooms; parking areas; onsite wastewater system; maintenance building; native habitat interpretation, restoration, and preservation areas; environmental interpretation and preservation areas of on-site geological, paleontological, and archaeological features; perimeter landscaping; utilities; and, drainage and erosion control systems.

This alternative does not include the outdoor demonstration arena, replicated Rancho era buildings, or horse trailer parking (on South Thompson Avenue). This alternative also does not

include the emergency access road and flatcar bridge across Nipomo Creek; however, the California Department of Forestry and Fire Protection/County Fire (CAL FIRE) conditions regarding access would need to be considered in lieu of the Southland Street Interchange project, which is not planned for construction. This alternative does not include any additional special events beyond existing, qualifying, non-profit events.

10.4 DESIGN ALTERNATIVE B – APPLICANT’S ALTERNATIVE PROJECT

This design alternative presented by the applicant includes features that are intended to avoid or minimize potentially significant impacts to archaeological resources. This alternative would include the following changes compared to the proposed project:

- Rancho era outbuildings would be located approximately 60 feet southwest of the proposed location;
- The tack/blacksmith building would be located near the arena, approximately 230 feet northwest of the proposed location;
- The caretaker’s residence and shop/storage building would be located approximately 60 feet southwest of the proposed location, closer to South Oakglen Avenue and rotated 90 degrees;
- Elimination of on-site septic systems; and,
- Connection to the Nipomo Community Services District (NCSD) sewer system, requiring construction of onsite infrastructure and trenching and pipe installation along South Oakglen Avenue (approximately 1,800 linear feet, off-site to Bermuda Avenue).

10.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the alternatives section of an EIR to describe a reasonable range of alternatives to the project that avoid or substantially lessen any of the significant effects identified in the EIR analysis while still attaining most of the basic project objectives. The alternative that most effectively reduces impacts while meeting project objectives should be considered the “environmentally superior alternative.” In the event that the No Project Alternative is considered the environmentally superior alternative, the EIR should identify an environmentally superior alternative among the other alternatives.

In this EIR, the No Project Alternative (LUO Amendment) would result in the fewest impacts, because if the LUO Amendment is not adopted, the applicant cannot move forward with a Master Plan. The No Project Alternative (Conditional Use Permit) also results in the fewest environmental impacts. The No Project Alternatives do not meet any of the project objectives, including the primary objective to implement the proposed Master Plan.

As proposed, and with incorporation of recommended mitigation measures, the proposed project would not result in any significant, unavoidable environmental effects, and would meet project objectives. Proposed alternatives include modifications to the project, such as different features, shifted location of project elements, use of alternative means of wastewater treatment and disposal, and elimination of use permit-approved special events. Based on the delineation of the archaeological site and other site restrictions including LUO setbacks and the Nipomo Creek corridor, complete avoidance is not feasible. Grading and construction of the Visitor’s Center would occur outside of identified significant cultural resource Locus A and B under all

alternative scenarios. No alternative would result in any significant, adverse, and unavoidable (Class I) impacts upon implementation of mitigation measures similar to those identified for the proposed project.

Design Alternative A – Initial Conceptual Site Plan provides variation in the project features, and focuses primarily on the Visitor's Center and Chumash Village and interpretive features. This alternative also does not include permit-approved special events, which would further reduce periodic traffic trips and air quality impacts related to additional traffic and use of an additional unpaved overflow parking area. Implementation of this alternative may not be consistent with the project objectives, because it does not include an intended balance of pre-historic, archaeological, and historical features. While continued restoration of the Dana Adobe would occur, the alternative does not include the demonstration arena or Rancho era buildings. In addition, this alternative does not include additional special events and may not include facilities that are adequate to "furnish on-site opportunities for fundraising, and to provide facilities and amenities that DANA can reasonably afford to maintain." Lack of consistency with this objective is the burden of the applicant to demonstrate to the decision makers, because it relates to the financial intent of the proposed project.

The primary component of Design Alternative B is the elimination of onsite septic and connection to the NCSO sewer system. This option would reduce potential onsite impacts to archaeological resources within Locus A by reducing the affected area; however, overall, this option may not substantially minimize potential impacts to cultural resources due to the construction of a new sewer line within South Oakglen Avenue. While this alternative meets all project objectives, it would not significantly reduce identified impacts on the environment compared to the proposed project. All identified mitigation measures would be required, similar to the proposed project.

Based on the analysis of the relative environmental impacts, the County Board of Supervisors has determined that the proposed LUO Amendment and proposed project, with adoption and incorporation of recommended mitigation measures, are considered the Environmentally Superior Alternatives.

11.0 MITIGATION MONITORING PROGRAM

PRC §21081.6 requires the lead agency, when making the findings required by PRC §21081(1)(a), to adopt a reporting or monitoring program for the changes to the project that it has adopted, in order to ensure compliance during project implementation. The County is the lead agency responsible for the adoption of the reporting or monitoring program. A Mitigation Monitoring and Reporting Plan (MMRP) has been prepared that requires the County to monitor mitigation measures designed to reduce or eliminate significant impacts, as well as those mitigation measures designed to further reduce environmental impacts that are less than significant.

The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures within the jurisdiction of the County. Implementation of the mitigation measures specified in the Final EIR and the MMRP will be accomplished through administrative controls over project planning and implementation. Monitoring and enforcement of these measures will be accomplished through verification in periodic Mitigation Monitoring Reports and periodic inspection by appropriate County personnel. The County reserves the right to make amendments to and/or substitutions of mitigation measures if, in the exercise of discretion of the County, it is determined that the amended or substituted mitigation measure will mitigate the identified significant environmental impact to at least the same degree of significance as the original mitigation measure it replaces, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment that cannot be mitigated.

As lead agency for the DANA LUO Amendment and CUP EIR, the County hereby certifies that the MMRP set forth in Chapter 7 of the Final EIR, which has been designed to ensure compliance during construction of the proposed project and includes all of the mitigation measures identified in the Final EIR and adopted and incorporated into the project, is adequate to ensure the implementation of the mitigation measures described herein.